

## AGENDA

Eau Claire County Board of Supervisors  
**Tuesday, March 7, 2017/ 7 pm**

Location:  
Courthouse, County Boardroom (Room 1277)  
721 Oxford Ave. Eau Claire, WI

### Eau Claire County Mission Statement:

"To provide quality, innovative and cost-effective services that safeguard and enhance the well-being of residents and resources"

- (1) Indicates 1<sup>st</sup> Reading
- (2) Indicates 2<sup>nd</sup> Reading

1. Call to Order
2. Honoring of the Flag and Moment of Reflection (Supervisor Sue Miller)
3. Call of the Roll
4. Approval of the Journal of Proceedings (February 22, 2017) (pg. 3-6)

### 5. PUBLIC COMMENT

### 6. REPORTS TO THE COUNTY BOARD UNDER 2.04.320

#### Oral (Annual) Reports

- Human Resources Department, Jamie Gower, Director

#### Written Reports

- Alternate Care Report (Dec. 31, 2016) (pg. 7)
- Adult Mental Health & Children's Institution Expenses & Revenues (Dec. 31, 2016) (pg. 8)

### 7. PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS

Correspondence from: Howard Ludwigson / re: Acceptance of Clean Fill / Reclaiming of Clay Pits in Lowes Creek County Park (pg. 9-10)

### 8. FIRST READING OF ORDINANCES BY COMMITTEES

#### File No.

16-17/102 (1) To Repeal and Recreate Title 15 of the Code; Buildings and Construction (pg. 11-20)

### 9. FIRST READING OF ORDINANCES AND RESOLUTIONS BY MEMBERS

**10. REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER 2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Administration**

**File No.**

16-17/096 (2)

To Amend Section 2.12.140 B. of the Code: Medical Examiner System (from February 22, 2017 county board agenda) (pg. 21-22)

**Committee on Human Resources**

**File No.**

16-17/105 (1)

Authorizing New and Modified Position Requests for 2017 and Use of Contingency Funds of \$90,000 (Joint Resolution with Committee on Finance & Budget) (pg. 23-30)

**Committee on Planning & Development**

**File No.**

16-17/089 (1)

Amending the 1982 Official Zoning District Boundary Map for the Town of Pleasant alley (pg. 31-47)

**Highway Committee**

**File No.**

16-17/093 (2)

To Amend Section 10.02.030 A. 6 of the Code: Parking Prohibitions Designated (from February 22, 2017 county board agenda) (pg. 48-49)

**Committee on Parks & Forest**

**File No.**

16-17/099 (1)

Resolution Accepting Approximately 830,000 Cubic Yards of Free, Clean Fill From Consumers Cooperative Association to Reclaim the Area Known as the Clay Pits in the Areas on the East Side of Lowes Creek County Park (pg. 50-57)

**11. APPOINTMENTS**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at (715) 839-4710, (FAX) 839-1669 or (715) 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703

**OFFICIAL PROCEEDINGS OF THE COUNTY BOARD  
OF SUPERVISORS**

**Wednesday February 22, 2017**

The County Board of Supervisors of the County of Eau Claire convened at the Courthouse in the City of Eau Claire on Wednesday, February 22, 2017, and was called to order by Chair Gregg Moore at 7:00 p.m.

The Board honored the flag with the pledge of allegiance.

Moment of reflection was presented by Supervisor Judy Gatlin.

Roll Call: 21 present: Supervisors Gary G. Gibson, Sandra McKinney, Stella Pagonis, Carl Anton, Gordon C. Steinhauer, Mike Conlin, Ray L. Henning, Colleen A. Bates, Kathleen Clark, Judy Gatlin, Nick Smiar, David P. Mortimer, Gregg Moore, James A. Dunning, Bruce Willett, Mark Beckfield, Sue Miller, Heather DeLuka, Mark Olson, Brandon Buchanan, Patrick L. LaVelle

8 absent: Supervisors Douglas Kranig, Katy Forsythe, Steve Chilson, Kevin Stelljes, Gerald L. Wilkie, Robin J. Leary, Tami Schraufnagel, Kimberly A. Cronk

\*Supervisor Leary arrived later in the meeting.

**JOURNAL OF PROCEEDINGS (January 17, 2017)**

On a motion by Supervisor Beckfield, seconded by Supervisor Smiar, the Journal of Proceedings was approved.

**PUBLIC COMMENT**

No one wished to speak.

\*Supervisor Leary arrived at this time.

**REPORTS TO THE COUNTY BOARD UNDER 2.04.320**

County Administrator Kathryn Schauf presented the following oral reports:

- University of Wisconsin Extension Next Generation Plan
- County Budget Cycle and Annual Report
- Economic Development Summit (sponsored by the City and County)

The following written reports were presented to the board:

- 2017 Contingency Fund Report ending February 15, 2017
- 4<sup>th</sup> Quarter Statistical Reports ending December 31, 2016 regarding Overtime Utilization, Compensatory Time, and Number of Employees

**PRESENTATION OF PETITIONS, CLAIMS AND COMMUNICATIONS**

Correspondence from the Town of Ludington regarding the fact that they have adopted an ordinance that deals with Home Rule on business regulations, environmental issues, and emergency management was laid on the desks of the county board supervisors.

**FIRST READING OF ORDINANCES BY COMMITTEES**

**Ordinance 16-17/093 TO AMEND SECTION 10.02.030 A. 6. OF THE CODE: PARKING PROHIBITIONS DESIGNATED**

Action on said ordinance was referred to the next meeting of the county board.

**Ordinance 16-17/096 TO AMEND SECTION 2.12.140 B. OF THE CODE: MEDICAL EXAMINER SYSTEM**

Action on said ordinance was referred to the next meeting of the county board.

**REPORTS OF STANDING COMMITTEES, COMMITTEES, COMMISSIONS AND BOARDS UNDER  
2.04.160 AND SECOND READING OF ORDINANCES**

**Committee on Human Resources**

**Resolution 16-17/095** REPLACE ONE 1.0 FTE SENIOR SOCIAL WORKER POSITION WITH A 1.0 FTE SOCIAL WORKER POSITION

Motion by Supervisor Gatlin, seconded by Supervisor Conlin, for adoption.

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Resolution 16-17/097** REPLACE ONE 1.0 FTE HIGHWAY SUPERINTENDENT POSITION (GRADE T) WITH A 1.0 FTE OPERATIONS MANAGER (GRADE R) POSITION, REDUCE THE SALARY GRADE FOR THE VACANT SHOP SUPERVISOR FROM GRADE P TO GRADE O, REPLACE ONE 1.0 FTE MECHANIC (GRADE K) WITH A 1.0 FTE LEAD MECHANIC (GRADE L), AND REPLACE TWO 2.0 FTE HIGHWAY WORKERS FIELD (GRADE I) WITH 2.0 FTE LEAD HIGHWAY WORKERS (GRADE K)

Motion by Supervisor Willett, seconded by Supervisor Henning, for adoption.

There were no objections to allowing Highway Commissioner Jon Johnson to speak.

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Committee on Judiciary and Law Enforcement**

**Ordinance 16-17/018** TO CREATE CHAPTER 9.96 OF THE CODE: PAWNBROKERS

Motion by Supervisor Willet, seconded by Supervisor Leary, for enactment.

On a motion by Supervisor Conlin, seconded by Supervisor Beckfield, Amendment No. 1 was presented as follows:

1. On Page 5, Line 3, after "applicant" insert "for a pawnbroker's license".
2. On Page 5, Line 7, after "this" insert "section".
3. On Page 5, Line 31, insert a space between "thesheriff's".
4. On Page 6, Line 49, insert a space between "thesheriff's".
5. On Page 7, Line 13, insert a space between "thesheriff's".
6. On Page 7, Line 21, insert a space between "tosheriff".
7. On Page 7, Line 32, insert a space between "thesheriff's".
8. On Page 8, Line 17, strike "or" and insert "," after "pawned".
9. On Page 8, Line 45, insert a space between "thesheriff's".
10. On Page 10, Line 3, insert "e" after "examin".
11. On Page 10, Line 2, strike "many", insert "may".
12. On Page 10, Line 8, insert "t" after "bu".

On a roll call vote, Amendment No. 1 was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

On a roll call vote, the ordinance as amended was enacted as follows:

21 ayes: Supervisors McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

1 no: Supervisor Gibson

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Offered by Supervisor Gary Gibson**

There were no objections to suspending the rules to consider Resolution 16-17/101.

**Resolution 16-17/101** AUTHORIZING A SECTION 404 HAZARD MITIGATION GRANT APPLICATION TO PURCHASE TWO PROPERTIES IN EAU CLAIRE COUNTY THAT RECEIVED SUBSTANTIAL FLOOD DAMAGE IN SEPTEMBER 2016: COMMITTING THE COUNTY TO THE REQUIRED 12.5% LOCAL MATCH IF THE APPLICATION IS APPROVED

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Committee on Finance and Budget**

**Ordinance 16-17/091** REPEALING SECTION 4.07.040 OF THE CODE: CALCULATION OF RATES AND HOURS

Motion by Supervisor Gatlin, seconded by Supervisor Beckfield, for enactment.

On a roll call vote, the ordinance was enacted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Resolution 16-17/092** AUTHORIZING PAYMENT OF VOUCHERS OVER \$10,000 ISSUED DURING THE MONTH OF JANUARY 2017

Motion by Supervisor LaVelle, seconded by Supervisor Conlin for adoption.

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

**Resolution 16-17/098** AWARDING BID FOR SALE OF TAX DEED PROPERTY TO ANDREW PERNSTEINER FOR THE SUM OF \$105.00; DIRECTING CORPORATION COUNSEL TO PREPARE QUIT

CLAIM DEED ON THE DESCRIBED PROPERTY; DIRECTING THE COUNTY CLERK TO EXECUTE SAID QUIT CLAIM DEED ON BEHALF OF EAU CLAIRE COUNTY

Motion by Supervisor Leary, seconded by Supervisor Willett, for adoption.

On a roll call vote, the resolution was adopted as follows:

22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

#### APPOINTMENTS

Motion by Supervisor Smiar, seconded by Supervisor Willett, for adoption.

On a roll call vote, the appointment was adopted as follows:

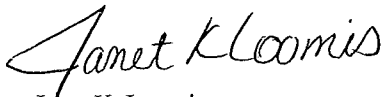
22 ayes: Supervisors Gibson, McKinney, Pagonis, Anton, Steinhauer, Conlin, Henning, Bates, Clark, Gatlin, Smiar, Mortimer, Moore, Dunning, Willett, Beckfield, Miller, Leary, DeLuka, Olson, Buchanan, LaVelle

0 noes

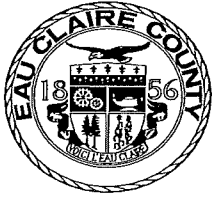
7 absent: Supervisors Kranig, Forsythe, Chilson, Stelljes, Wilkie, Schraufnagel, Cronk

The Board adjourned at 7:39 p.m.

Respectfully submitted,



Janet K. Loomis  
County Clerk



**Eau Claire County**  
**DEPARTMENT OF HUMAN SERVICES**  
 721 Oxford Avenue, PO Box 840  
 Eau Claire WI 54702-0840  
 (715) 831-5700 • Fax (715) 831-5658  
 www.co.eau-claire.wi.us  
 Diane Cable, Director



**ALTERNATE CARE REPORT**  
**For the Twelve Months Ending December 31st, 2016**  
 1/23/2017

Level of Care	Number of New Placements	Number of Clients	Number of Days	Number of New Placements	Number of Clients YTD	Number of Days YTD	Average Cost per day
	Dec-16	Dec-16	Dec-16	YTD			
Foster Care	7	88	2,575	105	181	29,800	\$44
Therapeutic Foster Care	6	25	730	33	52	7,129	\$106
Group Home	0	3	93	11	13	1,412	\$115
Residential Care Center	4	18	445	31	37	3,595	\$529
<b>Corrections:</b>							
Corrections-Institution	0	5	125	3	8	1,424	\$279
Corrective Group Home	0	0	0	0	0	0	
180 Day Program	0	0	0	0	0	0	
Corrections AfterCare	0	0	0	0	1	9	\$0
Corrective Sanctions	0	0	0	0	0	0	
Correction Res. Care Ctr.	0	0	0	0	0	0	
Corrections TFC*	0	0	0	0	0	0	
Corrections SPRITE	0	0	0	0	0	0	
<b>TOTAL</b>	<b>17</b>	<b>139</b>	<b>3,968</b>	<b>183</b>	<b>292</b>	<b>43,369</b>	

\*not adjusted for revenue

Level of Care	Adjusted Budget	YTD Expense	Percent Used	Revenue Budget	YTD Revenue	Percent Collected	Projected Annualized Net Expense
	Foster Care	850,100	1,316,171	154.83%	89,500	160,987	179.87%
Therapeutic Foster Care	862,550	755,703	87.61%	25,700	33,183	129.12%	\$722,520
Group Home	50,333	162,841	323.53%	8,000	22,265	278.31%	\$140,576
Residential Care Center	1,610,288	1,902,128	118.12%	20,700	58,427	282.26%	\$1,843,701
<b>Corrections:</b>							
Corrections-Institution	\$250,692	397,922		\$5,000	\$228		
Corrections AfterCare							
180 Day Program							
Corrective Group Home		-					
Corrective Sanctions		-					
Correction Res. Care Ctr.		-					
Corrections TFC*		\$0					
Corrections SPRITE		\$0					
Corrections Totals:	250,692	397,922	158.73%	5,000	228	-	\$397,694
<b>TOTAL</b>	<b>3,623,963</b>	<b>4,534,765</b>	<b>125.13%</b>	<b>148,900</b>	<b>275,090</b>	<b>184.75%</b>	<b>\$4,259,675</b>

Net Budget	Net Estimated 2016 Exp.	Year End Estimate Overspent
\$3,475,063	\$4,259,675	(\$784,612)

At current usage DHS estimated alternate care spending for 2016 to be:

\*TFC = Therapeutic Foster Care

Percentage of Yr. through 12/31/2016 100.00%

Eau Claire County Department of Human Services  
 Adult Mental Health Residential and Institutional Expenses and Revenues  
 Children's Institution for Mental Disease Expenses and Revenues  
 Ending December 31, 2016

Standard Program Categories	YTD				YTD			
	Expense Annual Budget	YTD 12/31/2016 Expense Budget	YTD 12/31/2016 Actual Expenses	YTD 12/31/2016 Expense Budget Variance Under (Over)	Revenue Annual Budget	YTD 12/31/2016 Revenue Budget	YTD 12/31/2016 Actual Revenue	YTD 12/31/2016 Revenue Budget Variance Under (Over)
Adult Family Homes	384,600	384,600	249,008	135,592	13,805	13,805	31,060	(17,255)
Community Based Care/Treatment Center	954,934	954,934	1,239,655	(284,721)	53,143	53,143	180,162	(127,019)
Developmentally Disabled Center/Nursing Home	-	-	132,242	(132,242)	-	-	-	-
Institutions for Mental Disease, aka, Winnebago Health Institution and Trempealeau County Health Care Center ***	551,782	551,782	1,026,140	(474,358)	-	-	66,819	(66,819)
Supportive Home Care	146,033	146,033	141,843	4,190	-	-	-	-
<b>Totals</b>	<b>2,037,349</b>	<b>2,037,349</b>	<b>2,788,889</b>	<b>(751,540)</b>	<b>66,948</b>	<b>66,948</b>	<b>278,041</b>	<b>(211,093)</b>
Adult Programs Excess (Deficiency) of Revenue over Expenditures	(540,447)							
Children's Institution for Mental Disease Expenses and Revenues ***	75,000	75,000	248,500	(173,500)	-	-	172,351	(172,351)
Children's Program Excess (Deficiency) of Revenue over Expenditures	(1,149)							

\*\*\* Winnebago Health Institute performs collection activities. This report reflects the expense and revenue; however, we do not receive the revenue, we are charged the net expense.



Dear County Board Supervisors:

Let me begin by giving you a little of my background for the benefit of members who are new to the Board over the last several years. I did not run for reelection after serving thirty years on the Board. I served on and was Chair of most major committees. I was Vice Chair for several years and Board Chair for ten years.

I have intentionally not interfered with Board business and have generally supported the County's direction since my tenure. You have enough to address without being hassled by previous members.

There is a present issue however where I feel my knowledge and history could be of help in your deliberations. The filling in the pits at Lowes Creek Park is what I would like to address.

I was the Solid Waste Committee Chair when the County owned the existing landfill in the Town of Seymour. The County was being urged by the DNR to bring this site up to newly passed environmental standards. In general, the County supported those efforts. The new rules meant that a four foot approved clay liner needed to be installed. A membrane of heavy plastic needed to be placed on top of the clay and piping above that to collect leachate and methane gas.

The big issue was the obtaining of the right clay. There were only two sources of tested and approved clay in NW Wi. One was in Polk County and the other was at Lowes Creek Park. The best choice economically and environmentally was to haul the clay that the County already owned to the landfill site. There were many issues involved in doing this and public hearings resolved them so the clay could be transported.

At the time there was a concern by many of us that the site at Lowes Creek Park would remain disfigured as the County had no other fill for these sites at the time.

When it came to my attention that a source of free fill was available across from the Park it certainly peaked my interest. Bringing these areas back to original grade would give the County more opportunities for further development of a valuable recreation area.

The other win for the community with this would be the development of the land where the fill is derived. The forty acres that is now a hill could be the home of many businesses that see the value of a location at the intersection of I-94 and Hwy 93. I am not an expert that could give you a ballpark figure of the tax base, property tax collection, sales tax revenue, and job creation from that forty acres but I'm sure P&D department or local development boards could provide that information. The local taxing entities would certainly gain from this development.

In my estimation, this is a win -win both environmentally and economically for the County and its residents.

Thanks for your time,

Sincerely,

Howard Ludwigson

5537 Bayview Dr.

Eau Claire, WI 54703

## FACT SHEET

### TO FILE NO. 16-17/102

File No. 16-17/102 is an ordinance to repeal and recreate the county's building and construction code, Title 15.

Eau Claire County is responsible for the administration and enforcement of the Title 15 Building and Construction. The building and construction code has been enforced by the Department and Planning and Development since June 1, 1980.

The authority for the county to administer the building code is created under Wisconsin Statute 101. By repealing and recreating Title 15, several sections were rewritten to fix administrative code and statute references, other parts of the code needed updating to clarify the county's oversight authority and responsibility, a new occupancy section was included that provides an expectation of when a permit is complete and when the structure is safe to occupy, definitions were added, and several sections of the code were renumbered. A miscellaneous inspection fee was added to cover requests for inspections that are outside of the authority of the code. The permit fee for manufactured homes was reduced to reflect actual administrative costs.

The ordinance applies in all municipalities that have officially delegated the authority to enforce and administer the Wisconsin Uniform Dwelling Code to the county. The following municipalities have officially requested county enforcement: Town of Brunswick, Town of Clear Creek, Town of Drammen, Town of Fairchild, Town of Lincoln, Town of Otter Creek, Town of Pleasant Valley, Town of Washington, Town of Wilson, and Village of Fairchild and the Wisconsin Department of Safety and Professional Services has delegated enforcement to our county in the Town of Bridge Creek. The county also is responsible for commercial plan reviews and inspections for certain sizes of commercial structures. The county has authority for electrical permit reviews and inspection for both residential and commercial electrical work.

Staff introduced the ordinance amendments to the Committee on Planning and Development on January 24, 2017. The committee conducted a hearing on the ordinance on February 28, 2017. No one attended the hearing.

Corporation Counsel has reviewed and approved the proposed ordinance. There are no anticipated fiscal impacts.

Respectfully Submitted,



Rod Eslinger  
Land Use Manager

2  
3 - TO REPEAL AND RECREATE TITLE 15 OF THE CODE: BUILDINGS AND  
4 CONSTRUCTION -  
5

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:  
7

8 SECTION 1. That Title 15 of the code is repealed and recreated to read:  
9

10 Title 15

11  
12 BUILDINGS AND CONSTRUCTION

13  
14  
15  
16 Chapters:

17  
18  
19 15.01 Building Code  
20

21 Chapter 15.01

22  
23 BUILDING CODE

24  
25  
26  
27 Sections:

- 28
- 29
- 30 15.01.010 Statutory authorization.
- 31 15.01.020 Purpose.
- 32 15.01.030 Definitions.
- 33 15.01.040 Scope.
- 34 15.01.050 Adoption of Codes.
- 35 15.01.060 Jurisdiction.
- 36 15.01.070 Administration by the department of planning and development.
- 37 15.01.080 Building permits.
- 38 15.01.090 Issuance of permit.
- 39 15.01.100 Occupancy.
- 40 15.01.110 Permit Fees.
- 41 15.01.120 Penalties.
- 42 15.01.130 Responsibility construed.
- 43 15.01.140 Highest standards prevail.
- 44 15.01.150 Saving and severable clauses.
- 45

46 15.01.010 Statutory authorization. These regulations are adopted under the statutory  
47 authority granted pursuant to Wis. Stat. §§ 101.12, 101.65, 101.651, 101.76, 101.761, and  
48 101.86.

1           15.01.020 Purpose. The purpose of this chapter is to promote the development of quality  
2 housing, public buildings and places of employment and to protect the health, safety and welfare  
3 of the public and employees.

4           15.01.030 Definitions. As used in this article, the following terms have the meaning  
5 prescribed herein: (Any item not defined herein shall follow the Wisconsin Administrative Code  
6 definitions.)

7           A.     “Addition” Means new construction which increases the physical three  
8 dimensions of a building.

9           B.     “Alteration” Means a change, modification, or adjustment to an existing structure  
10 other than a repair, maintenance, or an addition.

11          C.     “Building” Means any structure erected or constructed of wood, metal, stone,  
12 plastic or other materials, which is intended to be used by human beings or animals for  
13 occupancy, livery, commerce, education, cultural activities or other purpose. The term does not  
14 include children's play structures.

15          D.     “Building inspector” Means the individual(s) appointed by the municipality to  
16 exercise all of the powers and duties of a building inspector under Wisconsin law.

17          E.     “Construction” Means any part or portion of the activity of installing, locating,  
18 siting, or erecting a building. Conversion of a building from one use to a different use is also  
19 considered construction.

20          F.     “Contractor” Means any person, firm or entity which undertakes any activity  
21 related to the construction of a building other than the mere provision of supplies, materials.

22          G.     “Department” Means the Wisconsin Department of Safety and Professional  
23 Services.

24          H.     “Electrical” Means the trade which relates to the design, installation, maintenance  
25 and repair of the mechanical equipment, wiring, fixtures and connections which tie a structure to  
26 the power grid of an electric generating utility and distribute the electricity through a structure to  
27 end uses, including any work which may be performed by a master electrician licensed by the  
28 State of Wisconsin or a person under the supervision of such an electrician.

29          I.     “HVAC” Means an acronym which stands for heating, ventilating and air  
30 conditioning; the trade which installs mechanical equipment, systems and accessory ducting and  
31 gratings for the purpose of warming, purifying, cooling and exchanging air in a building.

32          J.     “Occupancy” Means the act of utilizing a building for human habitation, use, or  
33 occupancy. Any use of a building for any activity which is customarily or routinely associated  
34 with utilization of a building as a residence, detached residential accessory structure, or  
35 commercial use shall constitute occupancy.

36          K.     “Owner” Means the individual, firm or entity which has record title to the real  
37 estate on which construction is taking place.

38          L.     “Plumbing” Means the trade which relates to the design, installation and  
39 maintenance or repair of pipes, drains, sinks, basins, hot water heating systems, natural gas pipes,  
40 grease traps, floor drains, and all other work for which the individual performing the work may  
41 either be a master plumber licensed by the State of Wisconsin or work under the supervision of  
42 such a plumber.

43          M.     “Repair” Means the act or process for purposes of maintenance or replacements in  
44 any existing building or structure which do not involve the structural portions of the building or  
45 structure or which do not affect room arrangement, light and ventilation, access to or efficiency  
46 of any exit stairways or exits, fire protection or exterior esthetic appearance and which do not  
47 increase a given occupancy and use, shall be deemed minor repairs.

48          N.     “Structure” Means building.

1           15.01.040 Scope. This code applies to all one- and two-family dwellings, commercial  
2 buildings/structures and decks serving an exit from a structure. Notwithstanding this section, this  
3 article shall not apply to children's play structures.

4           15.01.050 Adoption of Codes. The following chapters of the Wisconsin Administrative  
5 Codes, as well as all subsequent revisions, are adopted by the county and shall be enforced by  
6 the building inspector.

- 7           A. Wis. Admin. ch. SPS 305 Credentials.
- 8           B. Wis. Admin. ch. SPS 316 Electrical Code.
- 9           C. Wis. Admin. ch. SPS 320-325 Uniform Dwelling Code.
- 10          D. Wis. Admin. ch. SPS 360-366 Commercial Building Code.
- 11          E. Wis. Admin. ch. SPS 381-387 Uniform Plumbing Code.

12  
13           15.01.060 Jurisdiction. This chapter shall be applied and enforced in any city, village or  
14 town within the boundaries of the County which has not enacted an ordinance pursuant to Wis.  
15 Stat. §§ 101.65 and 101.12.

16           A. This article shall apply in all municipalities that have officially delegated the  
17 authority to enforce and administer the Wisconsin Uniform Dwelling Code to the county. At the  
18 time of the adoption of the ordinance from which this article derives, the following other  
19 municipalities have officially requested county enforcement: Town of Brunswick, Town of Clear  
20 Creek, Town of Drammen, Town of Fairchild, Town of Lincoln, Town of Otter Creek, Town of  
21 Pleasant Valley, Town of Washington, Town of Wilson, and Village of Fairchild and in the  
22 following other municipalities that the Wisconsin Department of Safety and Professional  
23 Services has delegated enforcement to our county: Town of Bridge Creek.

24           B. The county has adopted the certified municipality status as described in SPS  
25 361.60 of the Wisconsin Administrative Code.

26           1. Plan examination. Drawings, specifications and calculations for all the  
27 types of buildings and structures specified in Wis. Admin. Code § SPS 361.30, except state-  
28 owned buildings and structures, to be constructed within the limits of the municipality shall be  
29 submitted, if the plans are for any of the following:

30                   a. A new building or structure containing less than 50,000 cubic feet  
31 of total volume.

32                   b. An addition to a building or structure where the area of the  
33 addition results in the entire building or structure containing less than 50,000 cubic feet of total  
34 volume.

35                   c. An addition containing no more than 2,500 square feet of total  
36 floor area and no more than one floor level, provided the largest roof span does not exceed 18  
37 feet and the exterior wall height does not exceed 12 feet.

38                   d. An alteration of a space in a building containing less than 100,000  
39 cubic feet of total building volume.

40  
41           15.01.070 Administration by the Department of Planning and Development. The  
42 department of planning and development shall administer and enforce this chapter.

43           A. Creation and appointment. There is hereby created the position of building  
44 inspector. The building inspector shall be certified for inspection purposes by the Department of  
45 Safety and Professional Services in the required categories specified under Wis. Admin. Code  
46 ch. SPS 305.

47           B. Duties. The building inspector shall administer and enforce all provisions of this  
48 article.

1 C. Powers. The building inspector or an authorized certified agent of the building  
2 inspector may, at all reasonable hours, enter upon any public or private premises for inspection  
3 purposes. The building inspector may require the production of the permit for any building,  
4 plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to  
5 any such premises to the inspector or his/her agent while in the performance of his/her duties. In  
6 the event that the inspector is refused access to any such premises, then the inspector is  
7 authorized to apply for a special inspection warrant pursuant to Wis. Stat. § 66.0119.

8 D. Inspections. In order to permit inspection of a building project at all necessary  
9 phases without causing delay for the owner, the owner and/or contractor shall request all of the  
10 required inspections in conformity with the appropriate time frame defined in the Wisconsin  
11 Administrative Code or at least 48 hours in advance by the applicant/contractor or property  
12 owner as applicable:

13 E. Failure to request inspection. Failure to request any inspection will be the  
14 responsibility of the contractor and/or property owner. No construction shall be deemed  
15 approved by default or lack of inspection by the building inspector.

16 F. Contractor and/or property owner responsible. The expense of uncovering or  
17 exposing any work which must be inspected, where such work was required by the failure of the  
18 owner to request any inspection, will be the responsibility of the contractor and/or property  
19 owner.

20 G. Records. The building inspector shall perform all administrative tasks required by  
21 the department under all codes covered in 15.01.050. In addition, the inspector shall keep a  
22 record of all applications for permits and shall number each permit in the order of its issuance.

#### 23 15.01.080 Building permits.

24 A. No owner or contractor shall build or alter or cause to be built or altered any  
25 building or structure or mechanical system in a structure referenced in 15.01.040 without first  
26 obtaining a building permit for such building or structure. A copy of the permit shall be filed  
27 with the department of planning and development.

28 B. The construction activities which shall require a building permit includes, but is  
29 not limited to:

30 1. New one- and two-family dwellings, including decks serving an exit from  
31 the dwelling.

32 2. Additions that increase the physical dimensions of a dwelling including  
33 decks serving an exit from the dwelling.

34 3. Alterations to the dwelling structure or alterations to the dwellings  
35 plumbing, heating, or electrical systems.

36 4. New commercial buildings as referenced in 15.01.060.

37 5. Additions that increase the physical dimensions of a commercial building  
38 including decks serving an exit from the building as referenced in 15.01.060.

39 6. Alterations to the commercial buildings structure or alterations to the  
40 commercial buildings plumbing, heating, or electrical systems as referenced in 15.01.060.

41 7. New or re-wired electrical services.

42 a. All electrical wiring in a detached residential structure.

43 b. All electrical wiring in a commercial structure.

44 c. All electrical wiring in an agricultural structure.

45 8. Any conversion of a building from one use to a different use.

46 C. The following construction activities shall not require a building permit:

47 1. All new detached accessory buildings, or additions to existing detached  
48 accessory buildings, however, the current Uniform Dwelling Code shall prevail.  
49

1                   2.       Re-siding, reroofing, window and door replacement, and finishing of  
2 interior surfaces, installation of cabinetry, and non-structural repairs which are deemed minor by  
3 the building inspector.

4                   3.       Major equipment replacements (i.e., furnace, water heater, air conditioner,  
5 etc.).

6                   4.       Normal repairs of HVAC, plumbing and electrical equipment or systems  
7 such as replacing switches, receptacles, light fixtures and dimmers.

8  
9                   15.01.090 Issuance of permit.

10                  A.       The inspector shall issue the requested permit if the applicant, owner or contractor  
11 demonstrates that all state, county and local submission requirements are satisfied. If a permit  
12 card is issued, it shall be posted at the job site in a visible location from the street. Permits are  
13 valid for two years.

14                  B.       By accepting a permit, the applicant, owner or contractor grants the building  
15 inspector the right of access to the real estate on which the permitted construction will occur.

16                  C.       Permits are issued conditionally on the condition that the applicant, owner and/or  
17 contractor(s) shall conform to the requirements of all applicable codes, zoning ordinances and  
18 setback requirements in constructing the building.

19                  D.       No building, plumbing, electrical or HVAC permit shall be issued to any person  
20 who is in violation of this ordinance until such violation has been corrected.

21                  E.       No building, plumbing, electrical or HVAC permit shall be issued to any person  
22 to whom an order has been issued by the building inspector.

23                  F.       It shall be the responsibility of the owner, installer or contractor to determine if a  
24 permit is required and to obtain the same prior to commencing work.

25  
26                   15.01.100 Occupancy. If the building inspector, after completing all required  
27 inspections, finds that a building has been constructed in accordance with the applicable codes,  
28 then the inspector shall issue a certificate of occupancy. If the building fails to comply with the  
29 code in minor respects which do not threaten the safety, health or welfare of the building's  
30 occupants, the building inspector may issue a temporary occupancy for 30 days or a specified  
31 term. No person may have occupancy of any new, used, or rebuilt building until a certificate of  
32 occupancy is issued.

33                   15.01.110 Permit Fees. The department of planning and development shall charge fees  
34 subject to the following schedule:

35                  A.       Fee Schedule for structures covered under the Uniform Dwelling Code:

- |                         |                                      |  |
|-------------------------|--------------------------------------|--|
| 36                   1. | 1 and 2 family dwellings             | \$ .53 sq. ft. of living area              |
| 37                      | including panelized or modular       | exclusive of garages and                   |
| 38                      | homes                                | uninhabited basements                      |
| 39                      | Minimum Fee                          | \$460.00                                   |
| 40                      |                                      |  |
| 41                   2. | Conversion of an existing            | \$ .53/sq. ft. of living area exclusive of |
| 42                      | structure to 1 and 2 family          | uninhabited basements and garages.         |
| 43                      | Minimum Fee                          | \$460.00                                   |
| 44                      |                                      |  |
| 45                   3. | Manufactured homes/mobile homes      |  |
| 46                      | (foundation with or without plumbing |  |
| 47                      | and electrical)                      | \$250.00                                   |
| 48                      |                                      |  |



1 Additional permitting and fees shall apply to site built structures such as decks  
2 that exceed 25 square feet, porches, sunrooms, garages, carports, and similar type additions.  
3

- 4 4. House moved to the site  
5 (foundation with or without  
6 plumbing and electrical) \$510.00  
7
- 8 5. Additions/alterations to \$.53/sq. ft.  
9 manufactured homes and to of  
10 added/alterd living area  
11 1 and 2 family houses  
12 Minimum Fee \$165.00  
13
- 14 6. Miscellaneous: woodstoves,  
15 chimneys, fireplaces, decks,  
16 screen porches, etc. \$140.00  
17
- 18 7. Attached garages additions \$140.00  
19
- 20 8. Recreational Dwellings:  
21 a. Basic structure - \$.39/sq. ft.  
22 no heating, plumbing or  
23 electrical Minimum Fee \$420.00  
24 b. Structure with heating,  
25 \$.53/sq. ft. electrical and  
26 plumbing (all or one)  
27 Minimum Fee \$460.00  
28 c. Installation of heating, \$275.00  
29 electrical or plumbing  
30 system (all or one).  
31
- 32 9. UDC Sticker (additional \$ 39.00  
33 with all fees where applicable.)
- 34 10. Erosion Control:  
35 With full UDC Permit \$140.00  
36
- 37 11. Refunds: Refunds for projects  
38 not started shall be based on the  
39 fee paid minus UDC seal fee of \$ 39.00  
40 Plan review fee when plans are  
41 required \$100.00  
42 Erosion control fee of \$ 70.00  
43  
44



- 1 e. Replace more than two
- 2 electrical panels \$225.00
- 3 f. Upgrade commercial/
- 4 agricultural building
- 5 electrical – minimum \$105.00
- 6 g. Upgrade commercial/
- 7 agricultural building electrical
- 8 - up to 4 inspections needed \$450.00
- 9 4. Electrical permits for Agricultural Buildings:
- 10 a. Add 1 to 5 circuits \$105.00
- 11 b. Add more than 5 circuits \$135.00
- 12 c. Replace service panel only \$105.00
- 13 d. Replace two electrical panels
- 14 only \$135.00
- 15 e. Replace more than two
- 16 electrical panels \$225.00
- 17 f. Upgrade agricultural building
- 18 electrical – minimum \$105.00
- 19 g. Upgrade agricultural building
- 20 electrical - up to 4 inspections
- 21 needed \$450.00
- 22 h. Installing solar panels, solar
- 23 water heater, wind generator,
- 24 misc.: One required
- 25 inspection \$105.00
- 26 i. Installing solar panels, solar
- 27 water heater, wind generator,
- 28 misc.: Two required
- 29 inspections \$145.00
- 30 j. Installing solar panels, solar
- 31 water heater, wind generator,
- 32 misc.: Three or more required
- 33 inspections \$185.00

34 5. Fees for commercial buildings and structures of an accessory character  
 35 and miscellaneous structures including, but not limited to, towers, tanks, silos, sheds, conveyors  
 36 and fences over 6 feet high.

37 Fee .....\$250.00 or \$2.05 per \$1,000 of value of the permitted structure(s),  
 38 whichever is greater applies up to a maximum of \$3,200.00.

39 C. Reinspection Fee: A fee of \$145.00 may be assessed when it is necessary for the  
 40 inspector to make a reinspection due to the initial inspection request not being completed.

41 D. Occupation of a dwelling constructed under SPS 320-325 before final inspection:  
 42 \$400.00.

43 E. Miscellaneous inspections: \$ 60.00/hr.  
 44 Minimum fee \$ 60.00.

1           15.01.120 Penalties.

2           A.       Uniform Dwelling Code. No person shall construct or alter any dwelling in  
3 violation of any of the provisions of this code. Pursuant to Wis. Stat. §§ 101.66 and 101.77,  
4 whoever violates this code shall forfeit to the county not less than \$25.00 nor more than \$500.00  
5 for each violation. Each day that the violation continues, after written notice, shall constitute a  
6 separate offense.

7           B.       Structures covered under Wis. Admin. Code ch. SPS 360-366. Pursuant to Wis.  
8 Stat. § 101.02(13)(a), any person who violates this code shall forfeit to the county not less than  
9 \$10.00 nor more than \$100.00 for each such offense.

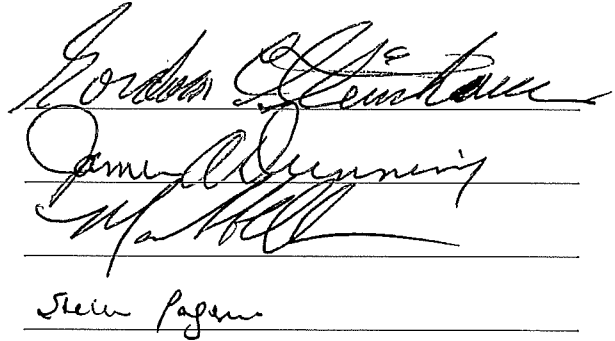
10          C.       Fees may be doubled if work is commenced prior to the issuance of a permit.

11  
12          15.01.130 Responsibility construed. This chapter and all inspection and approvals  
13 thereunder shall not be construed as establishing any legal responsibility on the part of the  
14 county or any of its agents or employees for the design or construction of any building or  
15 structure. The sole responsibility for code compliance and care in construction shall be vested in  
16 the property owner, builder or contractor.

17  
18          15.01.140 Highest standards prevail. In any case where a provision of this chapter is  
19 found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance  
20 or code of any city, village or town within the boundaries of the county existing on the effective  
21 date of this ordinance, any provision which establishes the higher standard for the promotion and  
22 protection of the health and safety of the people shall prevail.

23  
24          15.01.150 Saving and severable clauses. If, for any reason, any one or more sections,  
25 sentences, clauses, or parts of this title are held invalid, such invalidity shall not affect, impair or  
26 invalidate the remaining provisions.

27  
28          ADOPTED:

29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  


Committee on Planning & Development

KRZ/ylk  
Dated this 28 day of Feb, 2017.

ORDINANCE/16-17/102

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

**FACT SHEET**

**TO FILE NO. 16-17/096**

The 2000 Wisconsin Act 336 provided that beginning in 2017, effective April 18<sup>th</sup> medical examiner fees only be increased annually, not to exceed the annual percentage change in the US CPI for all Urban Consumers, U. S. City average for 12 months ending December 31<sup>st</sup>. The CPI index is 2.1% December 31, 2016. This ordinance increases the medical examiner fees for cremation permits, death certificates and disinterment and reinterment by 2.1% effective April 18, 2017.

Fiscal Impact: Additional revenue of \$2,980.95 based on 2016 statistics.  
Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

KRZ/yk

Ordinance/16-17.096 Fact

1 Enrolled No.

2 ORDINANCE

3 File No. 16-17/096

4 - TO AMEND SECTION 2.12.140 B. OF THE CODE: MEDICAL EXAMINER  
5 SYSTEM -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7  
8 SECTION 1. That Subsection B. of Section 2.12.140 of the code be amended to  
9 read:

10  
11 B. Fees. The medical examiner and any deputies shall collect all such fees which  
12 they are entitled by law to receive, as provided in Wis. Stat. § 59.38(1). Except in situations  
13 involving indigents, ~~\$150.00~~ 153.15 shall be collected for the issuance of a cremation permit in  
14 accordance with Wis. Stat. § 59.36, ~~\$100.00~~ 102.10 as the fee for signing death certificates and  
15 \$50.00 51.05 for issuing a disinterment and reinterment permit pursuant to Wis. Stat. § 69.18.  
16 The finance department shall bill the appropriate funeral home directly for these fees.

17  
18 SECTION 2. This ordinance shall take effect April 18, 2017.

19  
20 ADOPTED:

21  
22  
23 \_\_\_\_\_  
24 *Carleen Bates*  
25 \_\_\_\_\_  
26 *Kathleen Clark*  
27 \_\_\_\_\_  
28 *Matthew D. [Signature]*  
29 \_\_\_\_\_  
30 *Lynn Eldous*  
31 \_\_\_\_\_  
32 Committee on Administration

33 KRZ/yk

34  
35 Dated this 10 day of February, 2017.

36  
37  
38 ORDINANCE/16-17/096

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

## FACT SHEET

### Historical Analysis

The County Board has budgeted resources in 2017 to implement control recommendations from the CLA internal audit study conducted in 2016 and to continue to develop processes that strengthen systems internal controls and mitigate risk. Through process analysis it was identified that the position control and payroll administration functions may be strengthened through increased systems functionality. The recommendation by consultants is that this be addressed as soon as is practicable. *(Refer to attached letter by M. DeVries – Sikich).*

### Issue

Risk management and internal controls for payroll administration, position control and employee maintenance need to be strengthened.

### Major stakeholders

*County employees* – direct impact

*County Board* – assurance that payroll processing and administration are accurate

*County taxpayer* – assured that systems are adequate to ensure accountability

### Goals and objectives

1. Reconfigure the set-up of the payroll system within Alio to take advantage of the systems capabilities to move the processing of payroll to an automated workflow with minimal manipulation / intervention required for the regular processing of payroll. The reconfiguration will occur concurrently with the retention of existing processes to ensure that operations continue. The reconfiguration requires investment to build the organizational capacity.
2. Strengthening the internal control structure for payroll administration through structural segregation of duties.
3. Creating needed capacity for benefit management and payroll administration.
4. Develop the ability for process level control versus manual transaction level approvals.

**Policy Alternatives** The following alternatives were considered:

	Maintain the status quo / reconfigure base system as time permits.	Hire a consultant to set-up and design system reconfiguration.	Adjust existing FTE's to implement system / process upgrades
Pros:	Does not incur additional cost in real dollars.	Addresses system set-up and reconfiguration.	Allows for segregation of duties, system development and maintenance.  Has the potential for future savings – that as of yet are unknown.
Cons:	Due to risk factors this is not a viable alternative. Leaves vulnerabilities unaddressed.	Does not address ongoing system maintenance and does not address the segregation of duties.	Requires additional investment.
	Unknown vulnerabilities and risk factors in payroll administration and potential opportunity for fraud to occur remain unaddressed leaving open an unknown financial impact.	Estimated time to rebuild the system configuration would be approximately 9 months. Consultancy for this type of work is typically billed at \$125 / hour. Estimated fiscal impact: \$195,000	

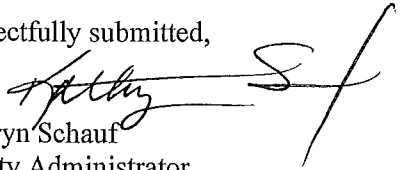
## Policy Recommendation

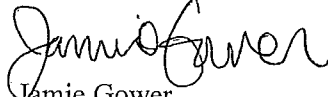
In order to develop the appropriate infrastructure for position control, employee management; and effective payroll and benefit administration it is recommended that the following position changes occur:

- The existing position of Payroll and Benefits Manager be eliminated and two (2) separate positions be created
  - Payroll Administrator within Finance
  - Benefits Administrator within Human Resources
- The vacant position (0.35) Fiscal Associate I (Finance) be reallocated to Human Resources as follows:
  - 0.27 to the Administrative Associate IV making the existing position a 1.0 FTE
  - 0.08 to the Benefits Administrator position
- A title change from Payroll/Benefit Assistant to Payroll Assistant

The recommendation will allow for the segregation of duties, necessary system upgrades, allow for retention of institutional systems knowledge, and strengthen the position control functionality in the existing financial system.

Respectfully submitted,

  
Kathryn Schauf  
County Administrator

  
Jamie Gower  
Human Resources Director



2  
3 - AUTHORIZING NEW AND MODIFIED POSITION REQUESTS FOR 2017 AND USE OF  
4 CONTINGENCY FUNDS OF \$90,000 -  
5

6 WHEREAS, continual process analysis and improvement is ongoing to ensure the efficiency,  
7 effectiveness and integrity of Eau Claire County's systems; and  
8

9 WHEREAS, the consultant working on process improvement and implementation of internal  
10 controls has recommended that the internal control function for employee data management and  
11 payroll processing should be strengthened; and  
12

13 WHEREAS, through a review of existing systems and structural alignment it is recommended that  
14 both the system itself be reconstructed and that payroll administration be separated from position  
15 control and management of employees; and  
16

17 WHEREAS, current staffing does not provide adequate capacity to reconstruct payroll system utilizing  
18 existing resources; and  
19

20 WHEREAS, the segregation of duties would be accomplished by having each respective department  
21 responsible for;  
22

Finance	Human Resources
<ul style="list-style-type: none"> <li>• Manage benefits and payroll codes</li> <li>• Create new positions within the system (position control)</li> </ul>	<ul style="list-style-type: none"> <li>• Align employees to authorized positions</li> <li>• Assign pay rates and ranges</li> </ul>

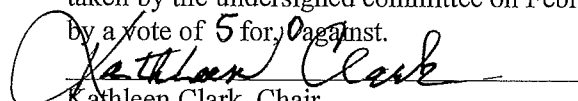
23  
24 NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby  
25 approves that the existing position of Payroll and Benefits Manager be eliminated and two separate  
26 positions: 1. Payroll Administrator (Finance) and 2. Benefits Administrator (Human Resources) be created.  
27

28 BE IT FURTHER RESOLVED that 0.27 of the vacant position (0.35) Fiscal Associate I (Finance) be  
29 reallocated to Human Resources making the existing Administrative Associate IV a 1.0 FTE, and change  
30 the title from Payroll / Benefit Specialist to Payroll Specialist, effective upon passage.  
31


32 BE IT FURTHER RESOLVED that \$90,000 will be reallocated from the 2017 contingency account to  
33 fund the position creation.  
34

35 ENACTED:

36 I certify that the foregoing correctly represents the action  
37 taken by the undersigned committee on February 27, 2017,  
38 by a vote of 5 for, 0 against.

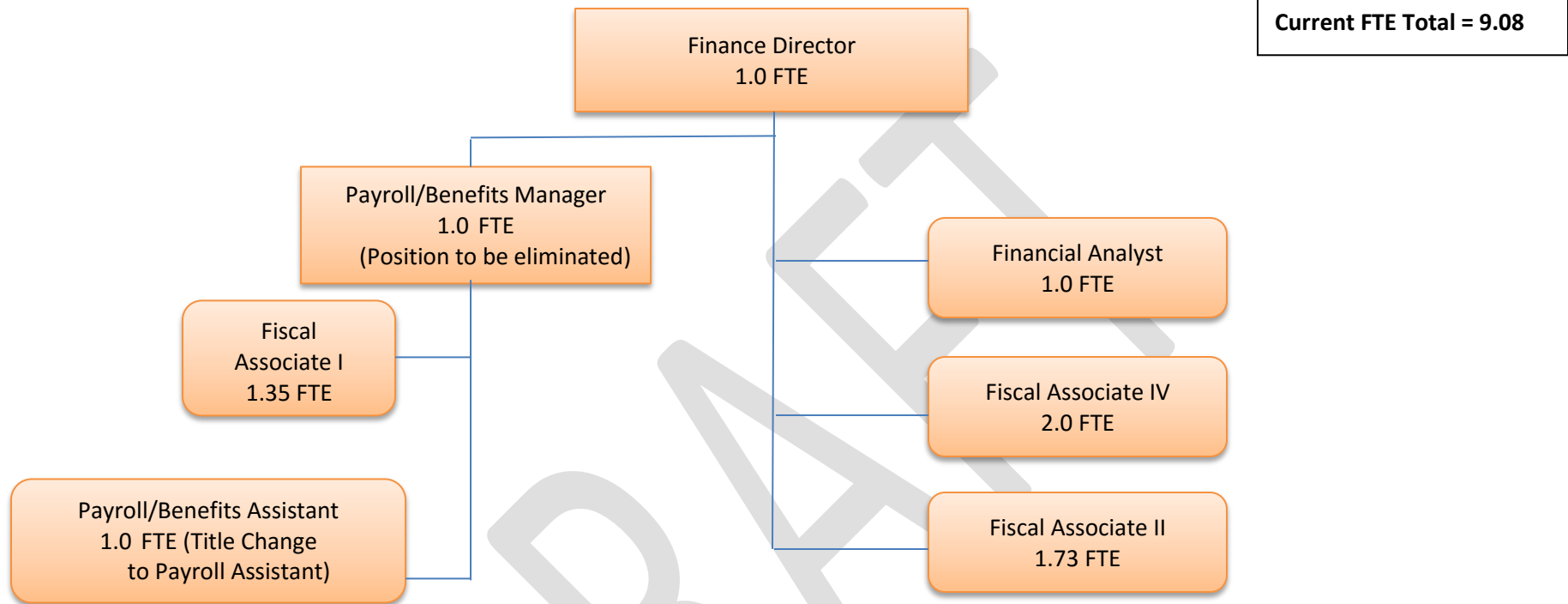
39   
40 Kathleen Clark, Chair  
41 Committee on Human Resources  
42

43 I certify that the foregoing correctly represents the action  
44 taken by the undersigned committee on February 27, 2017,  
45 by a vote of 4 for, 0 against.

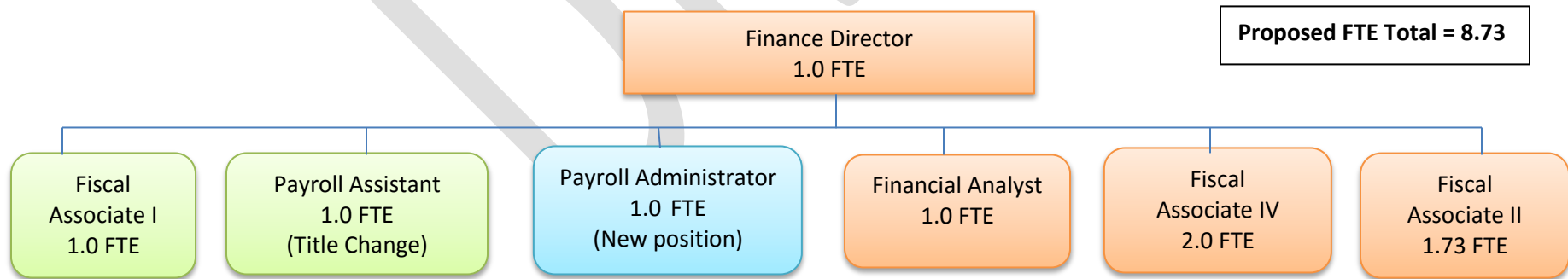
46  
47   
48 Jim Dunning, Chair  
49 Committee on Finance and Budget  
50

# ORGANIZATIONAL CHART – FINANCE DEPARTMENT

## CURRENT



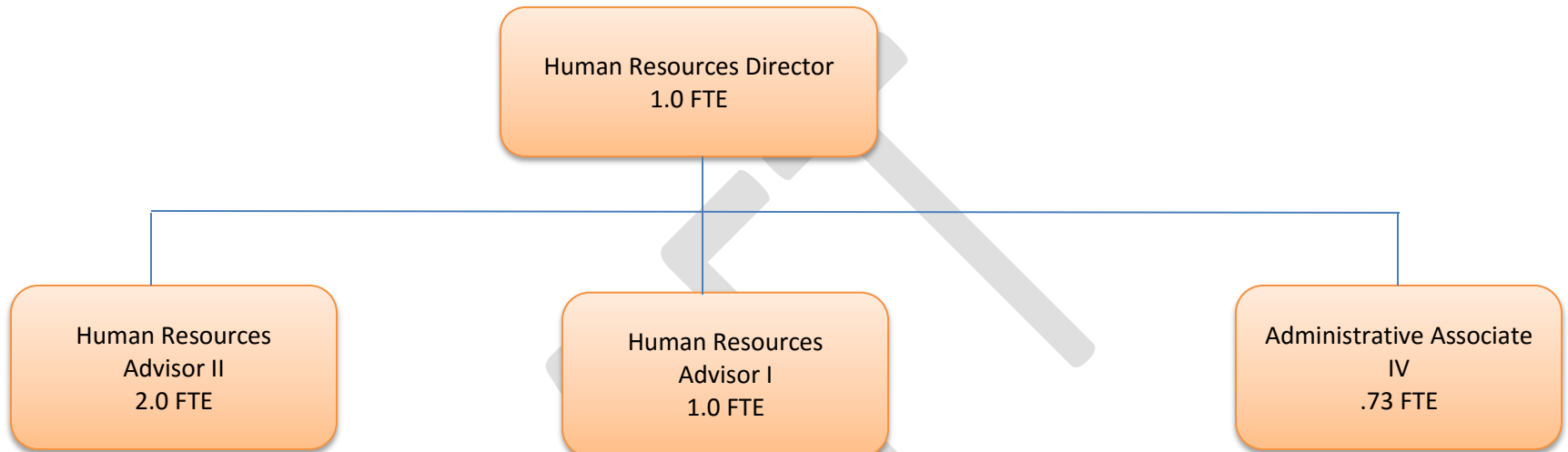
## PROPOSED



# ORGANIZATIONAL CHART – HUMAN RESOURCES DEPARTMENT

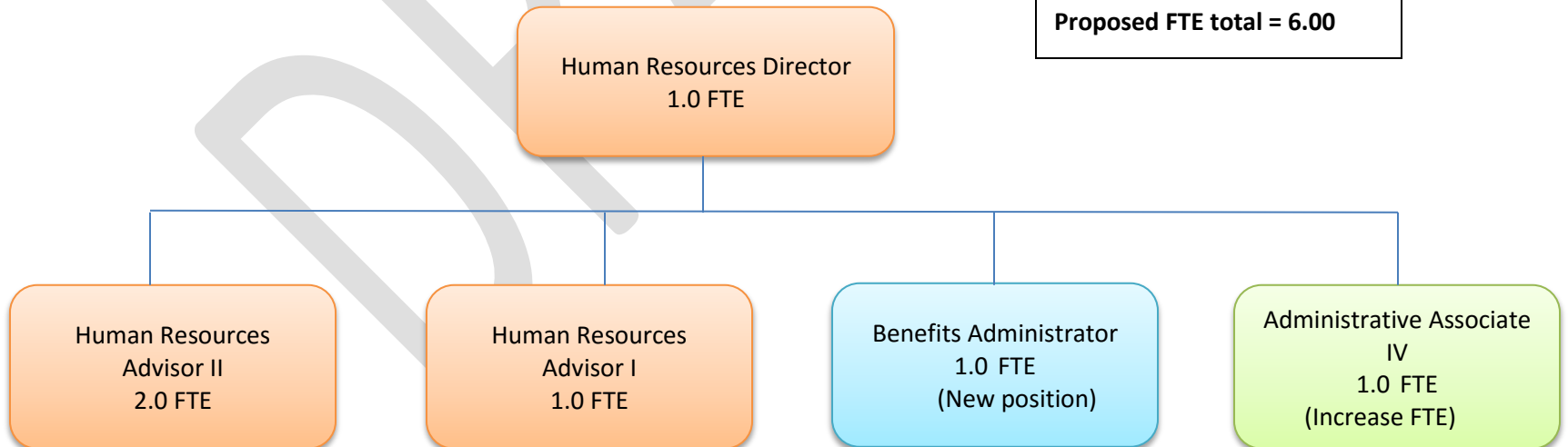
## CURRENT

Current FTE total = 4.73



## PROPOSED

Proposed FTE total = 6.00



<b>Finance Department</b>			
<b>Position Title (Current)</b>	<b>FTE (Current)</b>	<b>Position Title (Proposed)</b>	<b>FTE (Proposed)</b>
Finance Director	1.00	Finance Director	1.00
Payroll/Benefits Manager	1.00	<b>Payroll Administrator (new position)</b>	1.00
Fiscal Associate I	1.35	Fiscal Associate I	1.00
Payroll/Benefits Assistant	1.00	<b>Payroll Assistant (title change only)</b>	1.00
Financial Analyst	1.00	Financial Analyst	1.00
Fiscal Associate IV	2.00	Fiscal Associate IV	2.00
Fiscal Associate II	1.73	Fiscal Associate II	1.73
<b>Total Current FTE - Finance</b>	<b>9.08</b>	<b>Total Proposed FTE - Finance</b>	<b>8.73</b>

<b>Human Resources Department</b>			
<b>Position Title (Current)</b>	<b>FTE (Current)</b>	<b>Position Title (Proposed)</b>	<b>FTE (Proposed)</b>
Human Resources Director	1.00	Human Resources Director	1.00
Human Resources Advisor II	2.00	Human Resources Advisor II	2.00
Human Resources Advisor I	1.00	Human Resources Advisor I	1.00
Administrative Associate IV	0.73	<b>Administrative Associate IV (increase FTE)</b>	<b>1.00</b>
<b>Total Current FTE - Human Resources</b>	<b>4.73</b>	<b>Benefits Administrator (new position)</b>	<b>1.00</b>
		<b>Total Proposed FTE - Human Resources</b>	<b>6.00</b>

**CURRENT FTE Total (Finance + HR) 13.81 PROPOSED FTE Total (Finance + HR) 14.73**

**Additional FTE Request 0.92**

**Position Cost Analysis**  
**Finance\_Human Resources**

<u>Department</u>	<u>Action</u>	<u>Position Title</u>	<u>FTE</u>	<u>Cost</u>
Finance	Title change	Payroll and Benefits Assistant to <b>Payroll Assistant</b>	No Change in FTE	No Fiscal Impact
Finance	Eliminate Position	Payroll and Benefits Manager	-1.00	(\$99,681)
Finance	Create new position	Payroll Administrator	1.00	\$77,494
Finance	Reallocate vacant 0.35 fte to Human Resources (0.08 to Benefits Administrator + 0.27 to Admin Assoc)	Fiscal Associate I (vacant position -0.35 )	-0.35	(\$17,633)
Human Resources	Create new position	Benefits Administrator	1.00	\$99,681
Human Resources	Increase FTE	Administrative Associate IV	0.27	\$29,323
			0.92	<u>\$89,184</u>

From: Marc DeVries, CPA - Sikich

Date: February 3, 2017

Re: Payroll internal controls

As an auditor I am often asked about proper segregation of duties. To me, one of the most effective means of ensuring proper segregation of duties is the proper design of access controls in an entity's financial accounting system.

Currently we have a system where several employees that are responsible for the maintenance of employee data also have access to running the payroll process as a matter of necessity because of the way the current payroll process is structured. The risk here is that several individuals that have the ability to add new employees and change pay rates and benefits can also generate payroll transactions. Individuals with such access could add fictitious employees or change their own hours and pay rates without being prevented or detected on a timely basis.

Typically what we see in larger organizations such as Eau Claire County is a Human Resource Department that is responsible for the ownership of employee data. This department cannot add new positions, but is the only department that can move employees in and out of positions, and is responsible for assigning employees pay rates and benefits in the accounting system.

Another department (typically Finance), would be responsible for adding positions, maintenance of pay grades (steps and ranges that correspond to positions), maintenance of pay, deduct, and benefit codes, and generation of payroll checks. We also frequently see this position as being responsible for running payroll "what if" scenarios for purposes of collective bargaining or budgeting.

The amount of manual adjustment currently occurring outside of the payroll system suggests that pay/deduct/benefit codes are not properly set up, and this puts the County at risk of errors and omissions. This risk is exacerbated exponentially by the lack of segregation of duties that currently exists in payroll.

As your independent consultant it is my responsibility to inform you that the County has placed itself in a position of considerable risk by failing to identify and correct this situation. My recommendation is to immediately take steps to document current payroll processes to ensure continuity in the event of unforeseen employee absences or turnover. I further recommend to take immediate action to begin auditing all employee pay/deduct/benefit codes for compliance with current contracts and board action, and make all adjustments necessary in the payroll system. The system should be designed to take full advantage of the functionality it offers. Finally, the duties of maintenance of employee data should be segregated from the processing of payroll transactions by way of designing access controls in the financial accounting software appropriately.

Once this is accomplished, the County should consider the implementation of Position Control in the Alio system to assist with the efficient and reliable preparation of budget data.

**FACT SHEET**  
**File No. 16-17/089**

**RE:** Rezoning Petition from Eric D & Sarah A Kleven, representing Darrell & Jane Kleven Trust, to rezone 15 acres +/- from to A-P (Agricultural Preservation District) to A-2 (Agricultural-Residential District) for the purpose of constructing a single family residence for a family member.

**Legal Description and Location:** W 660' of the fractional NW1/4 NW1/4, excepting the N 330' therefore, in Section 7, T25N, R9W, Town of Pleasant Valley

**Size of area to be rezoned:** 15 acres +/-

**ADJACENT ZONING & LAND USES:**

LOCATION	ZONING	LAND USE
Subject	AP	Agricultural fields
North	AP	Woodlands; Single-family residence
East	AP	Woodlands
South	AP	Agricultural fields; Woodlands
West	A-2	Agricultural fields; Woodlands

**LAND USE PLANS:** The Eau Claire County Future Land Use Map includes this property in the Rural Lands (RL) planning area, and the Town of Pleasant Valley Future Land Use Map includes this property in the Rural Preservation (RP) planning area. Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories:

**Rural Lands (RL)**

**Eau Claire County Intent and Description:** The primary intent of these areas is to “preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.”

**Rural Preservation (RP)**

**Town of Pleasant Valley Intent and Description:** The primary intent of these areas is to “preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”

**Staff Conclusions and Recommendation:** Staff finds that the proposed rezoning request substantially conforms with the Eau Claire County Comprehensive Plan and the Town of Pleasant Valley finds that the proposed rezoning conforms with the Town of Pleasant Valley Comprehensive Plan. The Eau Claire County Comprehensive Plan recognizes that the proposed A-2 zoning district is consistent and therefore allowed within the mapped Eau Claire County Rural Lands and Town of Pleasant Valley Rural Preservation future land use designations.

**Town Board Action:** The Town of Pleasant Valley Town Board considered this rezoning petition on Monday, February 13, 2017 and recommended approval (2-0 vote) of the rezoning.

**Committee Action:** The Eau Claire County Committee on Planning and Development conducted the required public hearing on Tuesday, February 28, 2017 regarding the proposed rezoning.

On a vote of in favor 4 and 0 against, the Committee recommends approval of the rezoning petition to the County Board. The committee considered the applicant’s testimony as well as the Town Board’s and staff’s recommendations in their deliberations.

Respectfully submitted on behalf of the Committee on Planning and Development,



Matt Michels, AICP  
 Senior Planner

1 **Enrolled No.**

**ORDINANCE**

**File No. 16-17/089**

2  
3 - AMENDING THE 1982 OFFICIAL ZONING DISTRICT BOUNDARY MAP FOR THE  
4 TOWN OF PLEASANT VALLEY -

5  
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

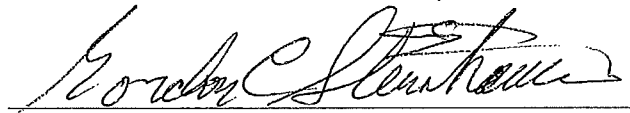
7  
8 **SECTION 1** That the 1982 Official Zoning District Boundary Map for the Town of  
9 Pleasant Valley, Eau Claire County described as follows:

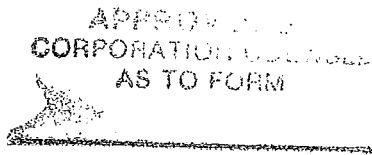
10  
11 **The West 660 feet of the fractional NW ¼ of the NW ¼, excepting the**  
12 **North 330' thereof, of Section 7, Township 25 North, Range 9 West,**  
13 **Town of Pleasant Valley, Eau Claire County, Wisconsin.**

14  
15 **Said described lands contain 15 acres to be reclassified from the A-P**  
16 **Agricultural Preservation District to the A-2 Agriculture-Residential**  
17 **District.**

18  
19 **SECTION 2** Where a certified survey map is required and may alter the above  
20 described property description, the official zoning district map for the  
21 town shall be automatically amended to reflect the property description of  
22 the certified survey map.

23  
24 ENACTED: I hereby certify that the foregoing correctly represents the  
25 action taken by the undersigned Committee on  
26 February 28, 2017 by a vote of 4 for, 0 against.

27  
28   
29 \_\_\_\_\_  
30 Planning & Development Committee, Chairperson







## EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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REZONE NUMBER: RZN-0017-16                      COMPUTER NUMBER: 018101708000

PUBLIC HEARING DATE: February 28, 2017

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STAFF CONTACT: Matt Michels, AICP, Senior Planner

OWNER: Darrell & Jane Kleven Trust, S 11560 County Road W, Eleva, WI 54738

AGENT: Eric D & Sarah A Kleven, 217 Skyline Dr, Eau Claire, WI 54703

REQUEST: Rezone 15 acres +/- of land from AP (Agricultural Preservation) District to A-2 (Agricultural-Residential) District to allow the construction of a single family residence for family members

LOCATION: Northeast corner County Road W and Birch Road

LEGAL DESCRIPTION: W 660' of the fractional NW1/4 NW1/4, excepting the N 330' therefore, in Section 7, T25N, R9W, Town of Pleasant Valley, Eau Claire County, Wisconsin

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### SUMMARY

Applicant proposes to rezone 15 acres +/- of land from AP District to A-2 District to allow the development of a single family residence for property owner's son and family, with the remainder of the property to remain in agricultural cultivation.

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### BACKGROUND

#### SITE CHARACTERISTICS:

- Property is currently used for agriculture
- Property slopes generally from northeast to southwest

#### CURRENT ZONING:

AP Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open-space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*

- F. Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;
- G. Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and
- H. Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.

REQUESTED ZONING DISTRICT:

The petition is to rezone the 15-acre property described above from the A-P Agricultural Preservation District to the A-2 Agriculture-Residential District.

A-2 Agriculture-Residential District. The A-2 District is established to "A. Provide an area for limited residential and hobby farm development in a rural atmosphere; and B. Preserve the county's natural resources and open space." Minimum lot size in the A-2 District is five (5) acres.

ZONING/LAND USE CONTEXT:

LOCATION	ZONING	LAND USE
Subject	AP	Agricultural fields
North	AP	Woodlands; Single-family residence
East	AP	Woodlands
South	AP	Agricultural fields; Woodlands
West	A-2	Agricultural fields; Woodlands

COMPREHENSIVE PLANS:

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Preservation (RP) planning area.

Following is a description of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies:

**Eau Claire County:**

- Rural Lands Intent and Description: *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- Applicable Policies:
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*

3. For those Towns under County Zoning, the following Eau Claire County Zoning Districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:
  - a. Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.

**Town of Pleasant Valley:**

- Rural Preservation Comprehensive Plan Intent and Description: The primary intent of these areas is to, “preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”
- Applicable Policies: The following policies are applicable to this rezoning petition. Staff comments, where provided, follow the policy *in italics*.
  1. Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production. *The proposed land division will have*
  - ...
  3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
    - a. *The maximum gross density for non-farm residential lots shall be one unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
    - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
    - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Pleasant Valley that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*
  - ...
  4. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1*

*Forestry District, and the proposed AC-R District noted above. The following additional policies shall apply to zoning petitions:*

- ...
- b. Rezoning land to the A-2 Agriculture-Residential District or the A-3 Agriculture District is discouraged for new non-farm residential development, unless findings can be made that rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*
  - c. Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm residential A-2 or A-3 parcels.*

FARMLAND PRESERVATION PLAN:

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. Many other properties in the vicinity are excluded from farmland preservation.

Comprehensive Plan Summary

The proposed A-2 zoning is generally consistent with the intent and description and the applicable policies of the Eau Claire County and also appears to be generally consistent with the Town of Pleasant Valley Comprehensive Plan. Further, the Town of Pleasant Valley recommends approval of the proposed rezoning.

**ANALYSIS**

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also to be made that the rezone is consistent with the County's Comprehensive Plan.

A-P Rezoning Standards

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

**Standard 1** - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – Although the majority of the property has been used for agriculture, the soils are generally marginal for high productivity. The applicant has provided additional reasons in his application (see attached). Several soil types are found on the property to be rezoned, including:

Soil Type	Description	Capability Class
EmD2	Elkmound Loam, 12-20% slopes, eroded	6
ArA	Arenzville silt loam, 0-3% slopes	2
EmB	Elkmound loam, 2-6% slopes	4
UnE	Urne very fine sandy loam, 20-45% slopes	7

- **Historical Productivity** – According to the applicant, “dad has farmed approximately 14 acres of the parcel since the 1980’s and he will continue to farm 10 or 11 acres after the house is built. The four acres the house will be sitting on is poor farmland...”

- **Site Location** – The site is located at the intersection of County Road W and Birch Road
- **Adjacent Land Uses** – Uses in the area are a mixture of cropland, woodlands, and single-family residences. Zoning in the area is predominantly A-P, with A-2 to the west and some A-3 further to the north. Agriculture is limited by topography and soil capability.

**Standard 2** - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County and Town of Pleasant Valley Comprehensive Plans.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan.*

The majority of the property is considered marginal for agriculture, with Class 6 soils predominating. The rezoning is substantially consistent with the Farmland Preservation Plan as it will not take significant amounts of prime farmland out of production and will have no foreseeable impact on productive farmland surrounding the property.

**Standard 4** - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning will not substantially impair or limit current or future agricultural use.

Town Board Action: The Pleasant Valley Town Board considered this rezoning petition on Monday, February 13, 2017 and recommended approval (2-0 vote) of the rezoning.

The rezoning petition has been evaluated for consistency with the purpose of A-2 District and the uses allowed in the district. The request is consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is consistent with the intent and purpose of the Future Land Use plans for the County and the Town of Pleasant Valley
- Existing uses in the area include agricultural fields, woodlands, and scattered single-family residences
- The property is appropriately situated for the intended A-2 zoning with like-zoned properties adjacent to the west and has access from County Road W and Birch Road

## CONCLUSION

The rezoning petition has been evaluated for consistency with the following:

- Eau Claire County and Town of Pleasant Valley Comprehensive Plan future land use designations
- Eau Claire County and Town of Pleasant Valley Comprehensive Plan goals, objectives and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. No correspondence in support or opposed to the proposed rezoning has been received, to date.

**RECOMMENDATION**

Staff recommends that the Planning and Development Committee file a recommendation of approval to the County Board for the rezoning petition to rezone the approximately 15-acre property from the AP District to the A-2 District as depicted on the attached map and described in the attached legal description.

Sup. dist 7 - Steve Chilson

Eau Claire County  
Department of Planning and Development  
Eau Claire County Courthouse  
721 Oxford Avenue, Room 3344  
Eau Claire, Wisconsin 54703  
(715) 839-4741

Application Accepted: 12/28/2016
Accepted By: Matt Michels
Receipt Number: 049800
Town Hearing Date: 11/14/2016
Scheduled Hearing Date: 1/24/2017
Application No: RZN-0017-16
Appl Status: Pending

### Rezoning - County

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: **AP**      Proposed Zoning District(s): **A2**      Acres to be Rezoned: **15**

W 660' Of The Nw1/4 Nw1/4, Excepting The N 330' Therefore, In Section 7, T25N, R9W, Town Of Pleasant Valley, Eau Claire County, Wisconsin

Owner/Applicant Name(s):	Address:	Telephone:
Darrell & Jane Kleven Trust Eric D & Sarah A Kleven	(ow) S 11560 COUNTY ROAD W ELEVA (appl) 217 SKYLINE DR EAU CLAIRE	

**Site Address(es):**

**Property Description:** Sec 07 Twn 25 Rge 09      **Town of Pleasant Valley**      **Lot Area:** 15.000      **ACRES**

**Zoning District(s):** AP

**Overlay District:**     Shoreland     Flood Plain     Airport     Wellhead Protection     Non-Metallic Mining

Check Applicable

PIN	Alternate No	Parcel No	Legal (partial)
1801822509072200001	018101708000	25.9.7.2-2-A	THE W 660' OF THE FRAC NW-NW EX THE N 330' THEREOF

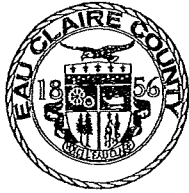
I certify by my signature that all the information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature see attached application      Date \_\_\_\_\_

Check if DATCAP must be notified \_\_\_\_\_      Check if DNR to Receive Copy \_\_\_\_\_

**RECEIVED**  
DEC 28 2016  
COUNTY CLERK

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



**Eau Claire County**  
**Department of Planning and Development**  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

Application Accepted:	12/28/16
Accepted By:	Matt M
Receipt Number:	049800
Town Hearing Date:	<del>11/14/16</del>
Scheduled Hearing Date:	1/24/17

**REZONING APPLICATION**

RZN-0017-16

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: AP	Proposed Zoning District(s): A2
Acres to be rezoned: 15	

Property Owner Name: Darrell and Jane Kleven	Phone#(715) 287-4737
Mailing Address: S11560 Cty Rd W, Eleva, WI 54738	
Email Address: dsrrellkleven1@gmail.com	

Agent Name: Eric and Sarah Kleven	Phone#(715) 529-1032
Mailing Address: 217 Skyline Drive, Eau Claire, WI 54703	
Email Address: eric@klevenpropertyassessment.com	

**RECEIVED**

DEC 28 2016

**SITE INFORMATION**

COUNTY CLERK

Site Address: Sxxxxx Cty Rd W	
Property Description: NW ¼ NW ¼ Sec. 7, T25 N, R9 W, Town of Pleasant Valley	
Zoning District: AP	Code Section(s): AA Agriculture-General
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	018 - 1017 - 08 - 000

**GENERAL APPLICATION REQUIREMENTS**

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input checked="" type="checkbox"/> Provide legal description of property to be rezoned	<input checked="" type="checkbox"/> Provide \$565.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$500.00 application processing fee and \$65.00 mapping surcharge fee)

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature

*Darrell Kleven*

Date 12-4-16

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



## REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

### Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
  - Describe the reason for the request
  - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
  - Explain and justify why this particular property is under consideration for rezoning
    - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
    - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
    - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

The rezoning procedures and details have been outlined in the rezoning brochure, which is available at the Department of Planning and Development.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

My Dad and Mom have offered to give my wife and me a piece of land to build a house. We would like to begin construction on a single family home next spring.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

The house and a possible future outbuilding will sit on only three or four acres on the northern side of the 15 acre parcel. Dad has farmed approximately 14 acres of the parcel since the 1980's and he will continue to farm 10 or 11 acres after the house is built. The four acres the house will be sitting on is poor farmland; it is a grade 6 soil on a scale of 7.

We have no intention of splitting or further developing this parcel. It will solely be for a single home with the remainder continued to be farmland. This is consistent with other parcels in the area as most houses are on five to forty acres; a five acre parcel adjacent to the north is a single family home.

I have had the opportunity to meet with the Town of Pleasant Valley Town Board and they do not have any objections currently to the proposal. A single family house is not in conflict with their comprehensive plan.

This is the farm I grew up on and it has been in the family since the 1940's; Dad has farmed it his entire life. It has always been my dream to build a house on this parcel.

**Rezononing petitions to change the zoning of a parcel from the A-P Agricultural Preservation District to any other District must be based upon findings that consider the following factors:**

- 1) The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses;
- 2) The rezoning is consistent with any applicable comprehensive plans;
- 3) The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan; and
- 4) The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

If you are petitioning to rezone land from an A-P District to another district, please describe how the proposed change in zoning will be consistent with the four findings listed here.

Our goal is to have as few acres as possible devoted to the new building site while continuing to farm as much as possible. The parcel is situated on a hill so there isn't a nice area to build a second house; there are no plans to develop this parcel into additional building sites.

We will be building on the poorest soil.



2016 Property Record | Eau Claire County, WI

Assessed values not finalized until after Board of Review  
Property Information is valid as of 2016-01-02

**OWNERS**

DARRELL & JANE KLEVEN TRUST

**IN CARE OF**

**PROPERTY INFORMATION**

Computer No: 018101708000  
PIN: 1801822509072200001  
Historical Map ID: 25.9.7.2-2-A  
School District: Mondovi  
Section: 07 Town: 25N Range: 09W

**MAILING ADDRESS**

DARRELL & JANE KLEVEN TRUST  
 S 11560 COUNTY ROAD W  
 ELEVA WI  
 54738  
 DARRELL & JANE KLEVEN TRUST  
 S 11560 COUNTY ROAD W  
 ELEVA WI  
 54738

Property Address:

Municipality: Town Of Pleasant Valley

Document History:

1117399 688/492 C676/669; 688/492 C676/669 417/468

**PROPERTY DESCRIPTION**

THE W-660' OF THE FRAC NW-NW EX THE N-330' THEREOF

**TAX INFORMATION**

Gross Tax: 56.52  
School Credit: 5.57  
Lottery Credit: .00  
First Dollar Credit: .00  
Net Tax: 50.95

**ZONING**

Zoning Code AP Description

**LAND USE**

Land Use Code AA Description Agriculture-General

	<u>Amt Due</u>	<u>Amt Paid</u>	<u>Balance</u>
RE Net Tax	50.95	.00	50.95
Special Assmnt	.00	.00	.00
Special Chrg	.00	.00	.00
Delq Utility	.00	.00	.00
MFL	.00	.00	.00
RE Interest	.00	.00	.00
Other Interest	.00	.00	.00
Penalty	.00	.00	.00
<b>TOTAL</b>	<b>50.95</b>	<b>.00</b>	<b>50.95</b>

**LAND VALUATION**

	<u>Acres</u>	<u>Land</u>	<u>Improve</u>	<u>Total</u>
GM	1.000	1,100.00	.00	1,100.00
GA	13.000	1,800.00	.00	1,800.00
GB	1.000	200.00	.00	200.00
	<b>15.000</b>	<b>3,100.00</b>	<b>.00</b>	<b>3,100.00</b>

Total Acres: 15.000  
Mill Rate: 0.016436486  
Fair Market Value: 3,300.00  
Assessment Ratio: .9400

**INSTALLMENTS**

<u>Period</u>	<u>End Date</u>	<u>Amount</u>
1	1/31/2017	50.95
2	7/31/2017	.00

**PAYMENT HISTORY (POSTED PAYMENTS)**

**TOWN OF PLEASANT VALLEY**  
February 13, 2017  
**TOWN BOARD MEETING**

CALL THE MEETING TO ORDER

Supervisor Doug Nelson called a Town Board Meeting of the Town of Pleasant Valley to order on Monday, February 13, 2017 in the Town Hall Meeting Room in Cleghorn at 7:30 p.m.

PLEDGE OF ALLEGIANCE

The chairman called for the honoring of the flag with the pledge of allegiance.

INTRODUCTION OF TOWN OFFICIALS

Board members present: Supervisor Doug Nelson and Supervisor Dan Green.  
Staff members present: Jen Meyer, Clerk/Treasurer

PUBLIC HEARING – KLEVEN – Property ID# 018-1017-08-000

Supervisor Doug Nelson opened the public hearing at 7:35p.m. Three residents were in attendance for the public hearing. The property is currently zoned AP and Mr Kleven has submitted an application to Eau Claire County Planning and Development to have the property rezoned to A2.

Applicant Eric Kleven, son of the property owners, Darrell and Jane Kleven, explained that his parents are giving him the parcel of land and he and his wife intend to build on the property. The property is part of a farm that Mr. Kleven grew up on and his parents still actively farm. Mr. Kleven explained the contours of the land, showed the approximate location of the house to be built and indicated his father will still be farming a majority of the property. The house will be built on the northern edge of the property which has the poorest soil for farming.

Mr. Matt McCarthy and Mrs. Myrthe McCarthy own two parcels of property directly east of the said property being considered for rezoning. They had questions regarding the building location and expressed concerns regarding noise, location of the house, and the fact that the residents of the new house may be able to view the McCarthy property from the top of the hill.

Supervisors Doug Nelson and Dan Green explained landowner property rights and building setbacks to the attendees as well as the required process of notifying adjoining landowners, public hearings and valid zoning oppositions.

**Motion(Green/Nelson)** to close the public hearing at 7:55pm.  
Acting Chairman Nelson announced the ayes carry 2-0 and the motion is approved.

REZONE – KLEVEN PROPERTY

Supervisors Nelson and Green reviewed the application and map of surrounding zonings.  
**Motion(Green/Nelson)** to approve changing the zoning of Parcel # 018-1017-08-000 from AP to A2.  
Acting Chairman Nelson announced the ayes carry 2-0 and the motion is approved.

ADJOURNMENT

**Motion (Green/Nelson)** to move this meeting is adjourned.  
Chairman announced the ayes carry 3-0 and the motion is adopted.  
Adjourned at 8:00 p.m.

Respectfully submitted,  
Jen Meyer, Clerk / Treasurer

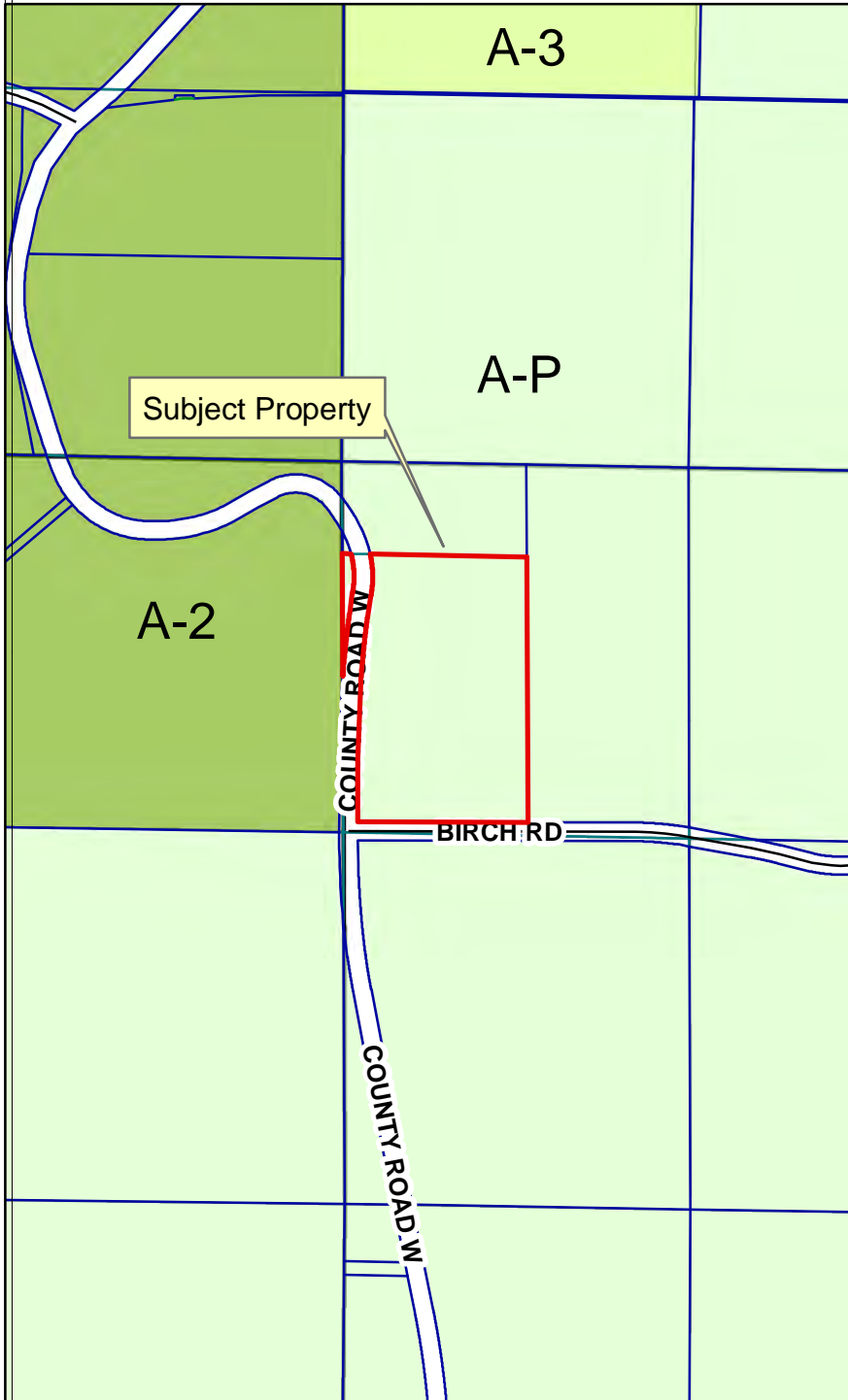
Posted at town hall 2-21-2017  
Placed on Website 2-21-2017  
To be approved – 2-20-2017



# Kleven Rezoning: RZN-0017-16

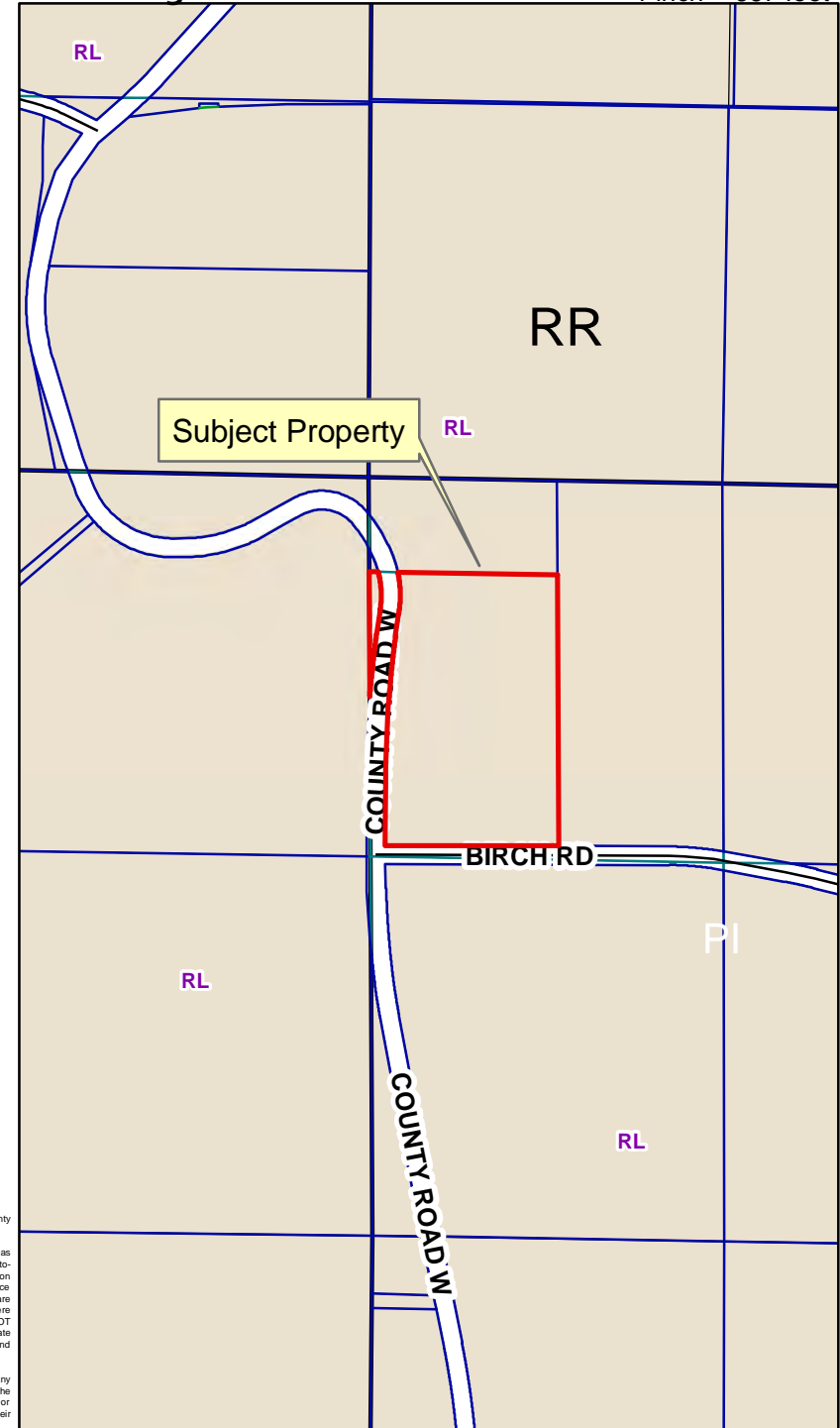
## Existing Zoning

1 inch = 666.666667 feet



## Existing Future Land Use

1 inch = 667 feet



**Legend**

**Future Land Use**

- Rural Residential Cluster Development
- Commercial/Industrial
- County Forest
- Natural Resource Protection
- Park & Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential Mobile Home
- Rural Transition
- Urban Mixed Use



**Parcel Mapping Notes:**

The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.

# Eau Claire County Parcel Mapping



1 inch = 166.666667 feet

## Legend

### Soil Map Unit

<all other values>

### Capability unit-main

<Null>

- 1
- 2
- 3
- 4
- 5
- 6
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- 8

### Parcel Mapping Notes:

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### Date:

Aerial Photography Flight Spring 2013  
Information Current January 1, 2013



**FACT SHEET**

**TO FILE NO. 16-17/093**

Families attending events at the Altoona elementary school are parking along the highway blocking the travel lanes and making it unsafe for vehicular traffic. This has happened twice in 2016. The families and individuals that are parking on the highway are walking down the highway to the school causing a safety hazard.

I've discussed this item with the highway committee and met with the school administration, Sheriff's Department, and City of Altoona Police. We all agreed that no parking signs need to be installed along a quarter mile stretch of KB. Altoona law enforcement informed me that a no parking ordinance needs to be approved by the County so they in turn can adopt it at the City level and enforce it.

Respectfully Submitted,

Jon Johnson, Highway Commissioner

Fiscal Impact: \$600



1 Enrolled No.

2 ORDINANCE

3 File No. 16-17/093

4 - TO AMEND SECTION 10.02.030 A. 6. OF THE CODE: PARKING  
5 PROHIBITIONS DESIGNATED -

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:  
7

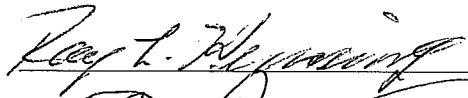

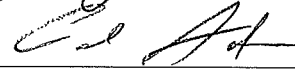
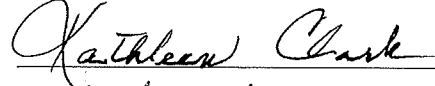

8 SECTION 1. That paragraph 6. of Subsection A. of Section 10.02.030 of the  
9 code be amended to read:

10 6. CTH "KB"

11 a. Along both sides of CTH "KB" from 0.25 miles east of Park  
12 Road; then west to Park Road; then northeasterly around the curve to 200 feet east of the east entrance to  
13 the Lake Altoona County Park parking lot.

14 b. Along both sides of CTH "KB" from CTH SS west for a  
15 distance of 0.75 miles to Sunday Drive.  
16

17  
18  
19 ADOPTED:

20  
21   
22   
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24  
25  
26  
27   
28  
29   
30 Highway Committee

31 KRZ/yk

32  
33 Dated this 19<sup>th</sup> day of January, 2017.  
34  
35  
36

37 ORDINANCE/16-17/093

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

## FACT SHEET

TO FILE NO. 16-17/099

Consumers Cooperative Association owns property across Highway 93 from the area on the east side of Lowes Creek County Park known as the “Clay Pits”. Commonweal Development Corporation has an agreement with Consumers Cooperative Association to purchase the property and develop it. Commonweal Development Corporation is proposing to provide approximately 830,000 cubic yards of clean fill, at no cost, to the County to fill in the “Clay Pits”. The fill is mostly sand, and is being excavated from the property to the northwest of the park site at the corner of Highway 93 and Lorch Avenue. Commonweal Development Corporation will have the fill hauled and spread as requested by the County. Ayres Associates has provided the attached diagram showing the pits where the fill can be used and indicating that there is enough fill to entirely restore the affected areas. Additional fill is available to create varying elevations in the topography or possibly build a berm between the park and the Waste Research facility if requested by the County. Also attached are an aerial view showing the proposed trucking route for the fill, an aerial view of Lowes Creek Park and an aerial view showing the location of bike, ski and walking trails.

The Clay Pits area has never been restored following the removal of clay and other material during the 1980s and 90s, primarily for construction and expansion of the Seven Mile Creek Landfill. There is little vegetation and there are no trees in the Clay Pits.

In addition to spreading the fill Commonweal Development Corporation will cover consultant and design costs, will be responsible for stripping and spreading black dirt as well as planting trees and grasses. If Commonweal’s project costs do not exceed \$4.5 million dollars, it will donate \$25,000 for Lowes Creek County Park as directed by the Parks and Forest Committee.

This is an excellent example of a public-private partnership that is consistent with the County Strategic Plan, specifically the priorities of “Ensuring Financial Stability” and to “Improve Collaboration” while enhancing the values of being “Good Stewards of County Resources”, “Fiscally Responsible”, and “Open and Accountable”. This project will allow a little used area of Lowes Creek County Park to be restored and used by the public for any park uses as determined by the Committee on Parks and Forest. Potential uses include expanding and enhancing the bicycle and ski trails, building soccer fields, baseball/ softball diamonds or creating a natural prairie.

Highway Commissioner Jon Johnson estimates it would cost the County approximately \$2.8 million to \$3.8 million dollars to contract for or have the County haul clean fill with existing trucks respectively to restore the Clay Pits. The difference in the cost estimate is primarily due

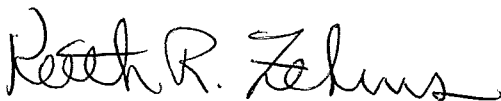
to the fact that the County does not have the large material hauling equipment for a job of this size. His estimates assume free, easy to load fill from Lake Altoona. No work would begin on the restoration of the Clay Pits until all permits are obtained from the Department of Natural Resources and the County. County planning and development department staff have done an initial review and determined a County Erosion Control Permit will be necessary as well as a Storm Water Permit and that there are no Clean Water Grant or zoning issues. The goal is to have the State and County review and approve the final grading plan on or before July 1, 2017.

This public-private partnership would accomplish a number of things:

1. **Fill the clay pits at Lowes Creek County Park**- The County always intended to reclaim the Lowes Creek County Park Clay Pits, but has never had the resources to do so. Now 35 years after the initial mining this public-private partnership would result in the environmental damage done being repaired and that area of Lowes Creek County Park turned into a highly utilized asset for the people of Eau Claire County.
2. **Close the Frank Carr Mining site** - The Frank Carr property, currently owned by Consumers Cooperative Association, is an active and open non-metallic mining site. It has been open for over 45 years and is approved for the removal of 2,000,000 cubic tons of material. As a result of this public-private partnership closure of the Frank Carr Mining site would occur within approximately 6 months of the project start with a full reclamation of the site within 1 year of the closure.
3. **Facilitate the construction of a major retail project** - As a result of this public-private partnership the proposed development with the retail project should have an added valuation of approximately \$30,000,000, resulting in annual Real Estate Taxes of over \$690,000., with approximately \$36,000.00 going to Eau Claire County each year. The county also stands to receive over \$210,000.00 annually in sales tax revenue, based on average store sales for this retailer of over \$42,000,000 each year and the store would create approximately 65 full time and 150 part time jobs.

Fiscal Impact: No added cost to the County.

Respectfully Submitted,



Keith R. Zehms  
Corporation Counsel

2  
3 - ACCEPTING APPROXIMATELY 830,000 CUBIC YARDS OF FREE, CLEAN FILL  
4 FROM COMMONWEAL DEVELOPMENT CORPORATION TO RECLAIM THE  
5 AREA KNOWN AS THE CLAY PITS IN THE AREA ON THE EAST SIDE OF LOWES  
6 CREEK COUNTY PARK-

7  
8 WHEREAS, the area of Lowes Creek Park known as the "Clay Pits" was mined in the 1980's  
9 and 90's primarily for construction and expansion of the Seven Mile Creek Landfill; and

10  
11 WHEREAS, the Frank Carr property, located across highway 93, currently owned by  
12 Consumers Cooperative Association, is an active and open non-metallic mining site approved for  
13 removal of 2,000,000 cubic tons of material; and

14  
15 WHEREAS, Commonweal Development Corporation has an agreement with Consumers  
16 Cooperative Association to purchase the Frank Carr Property and develop it; and

17  
18 WHEREAS, Commonweal Development Corporation intends to develop the Frank Carr site  
19 with a retail project with an added valuation of at least \$30,000,000 and creating approximately 65  
20 full time jobs with additional real estate and sales tax revenue going to the County and that would  
21 result in site closure within 6 months of the project start with full reclamation within one year of  
22 closure; and

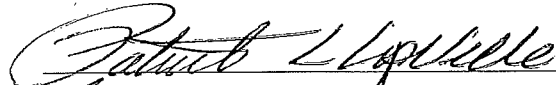
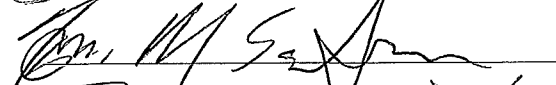
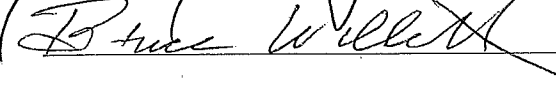
23  
24 WHEREAS, Commonweal Development Corporation will donate approximately 830,000  
25 cubic yards of clean fill to Eau Claire County, haul the material and spread it in the manner requested  
26 by the County to reclaim the Clay Pits; and

27  
28 WHEREAS, work would only begin after receiving DNR and County approval and permits;  
29 and the County through the parks and forest committee approving the grading and drainage plan that  
30 meets DNR requirements on or before July 1, 2017; and

31  
32 WHEREAS, the short distance to haul the fill will minimize the amount of fuel used,  
33 pollution created and wear and tear on the roads.

34  
35 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors  
36 accepts approximately 830,000 cubic yards of clean fill from Commonweal Development  
37 Corporation to reclaim the area known as the Clay Pits in the area on the east side of Lowes Creek  
38 County Park.

39  
40 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors accepts this  
41 clean fill on the conditions and timeline outlined in this resolution and that the County Administrator  
42 is authorized to take any action necessary and sign any documents necessary to effectuate the intent  
43 of this resolution.

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\_\_\_\_\_  
\_\_\_\_\_  
Committee on Parks and Forest

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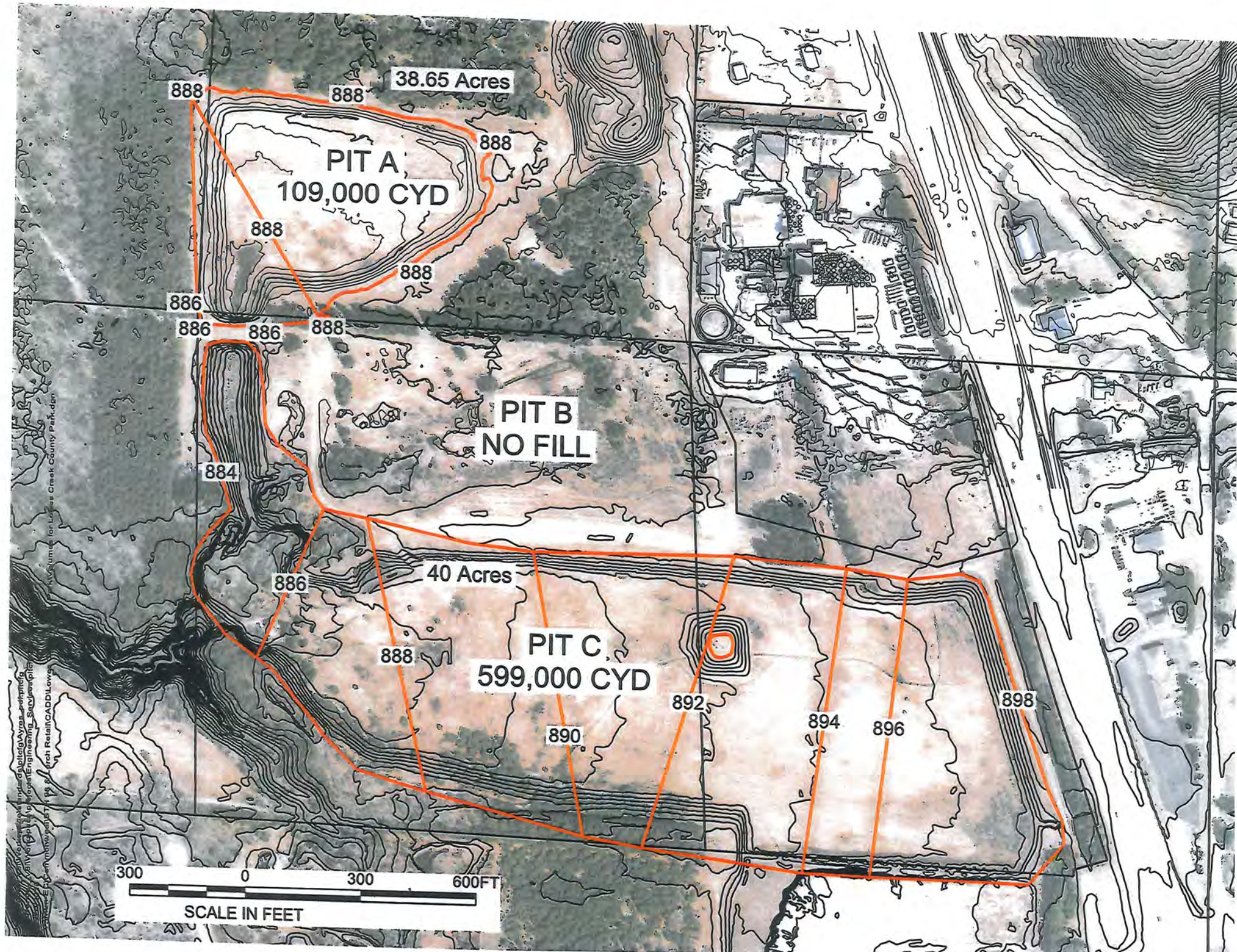
KRZ/yk

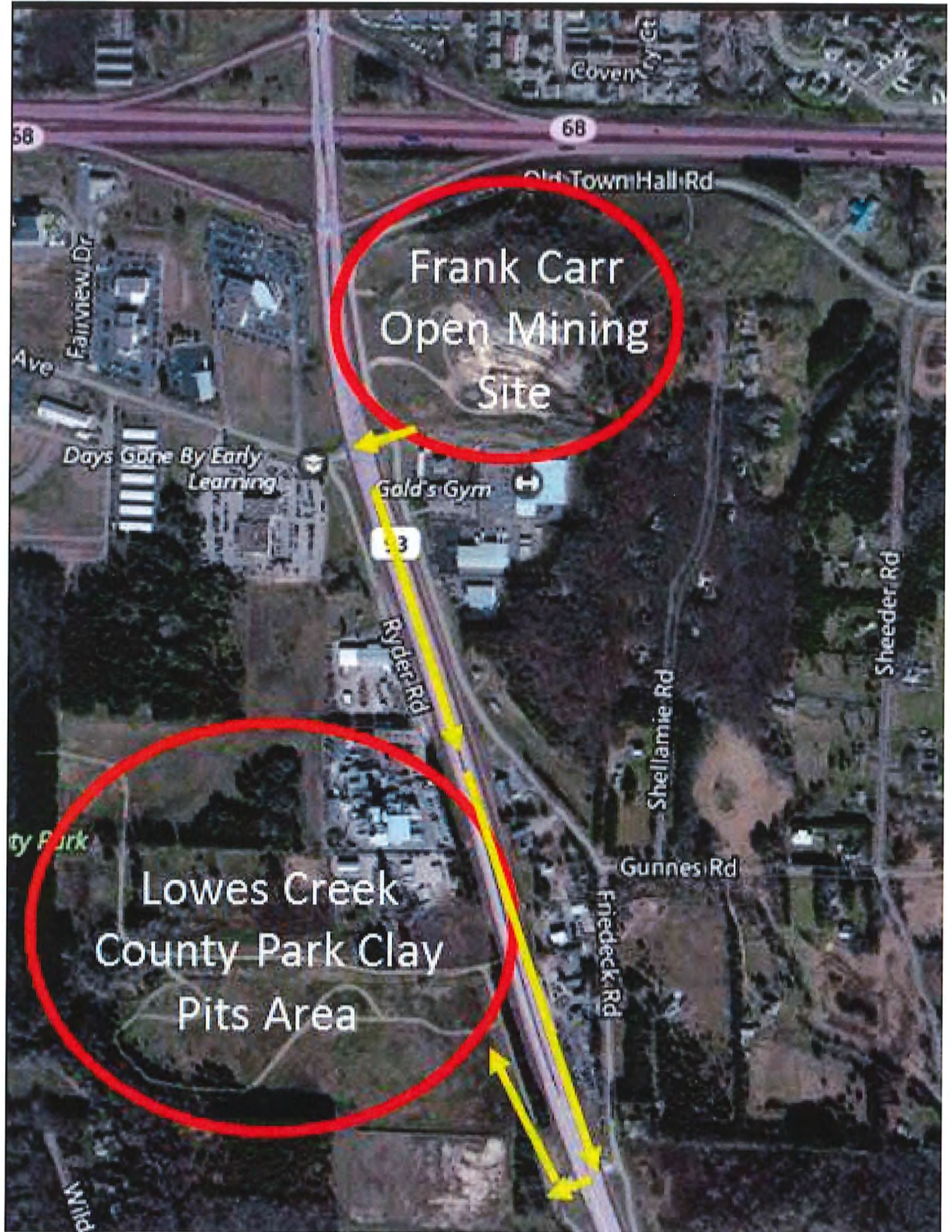
Dated this 28<sup>th</sup> day of February, 2017.

ORDINANC/16-17-099

APPROVED BY  
CORPORATION COUNSEL  
AS TO FORM

\_\_\_\_\_





Frank Carr  
Open Mining  
Site

Lowes Creek  
County Park Clay  
Pits Area

68

58

3

Old Town Hall Rd

Fairview Dr

Days Gone By Early Learning

Gold's Gym

Ryper Rd

Shellamie Rd

Sheeder Rd

Gunnes Rd

Friedeck Rd

ty Park

White

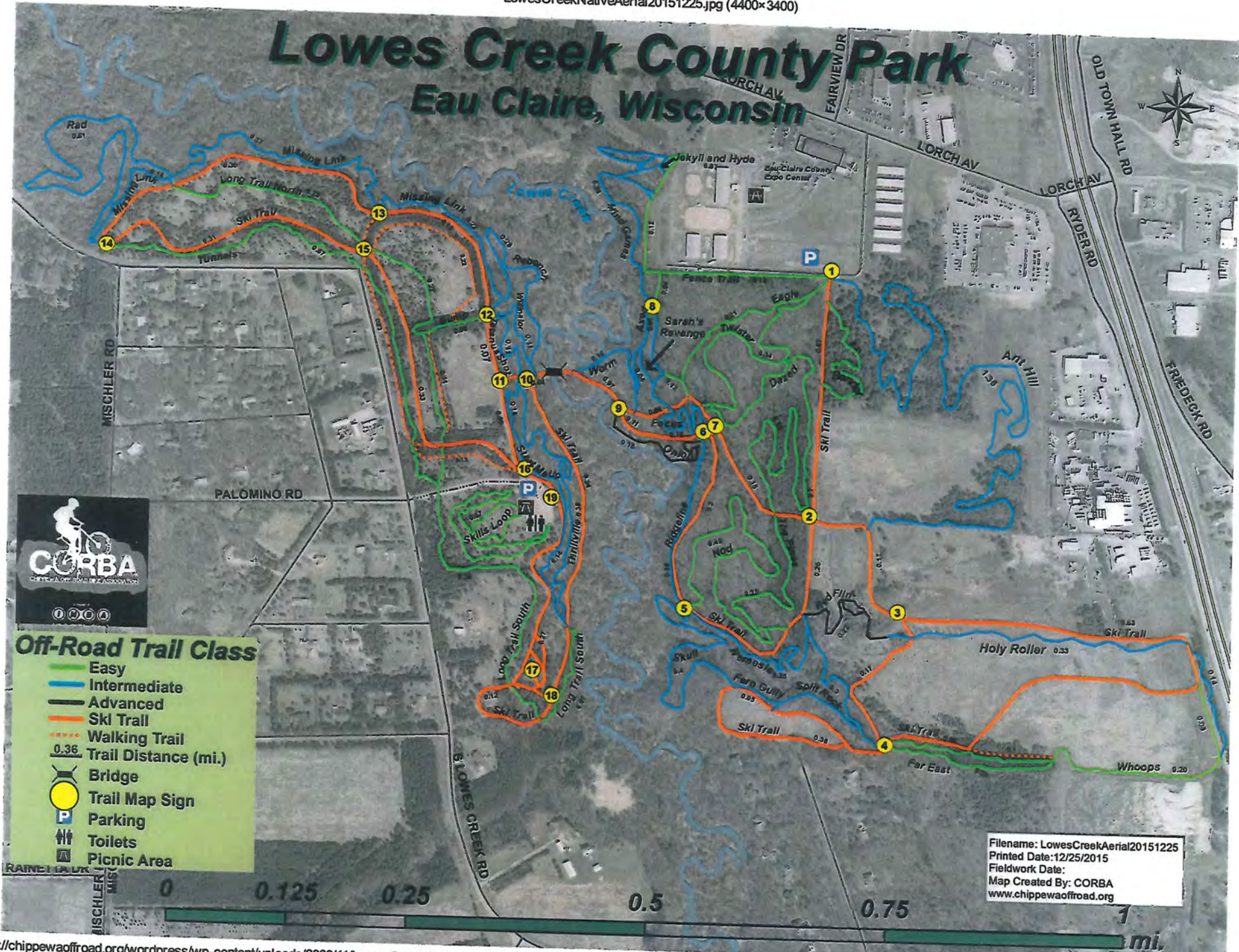
# Lowes Creek County Park





# Lowes Creek County Park

## Eau Claire, Wisconsin



**Off-Road Trail Class**

- Easy
- Intermediate
- Advanced
- Ski Trail
- Walking Trail
- 0.36 Trail Distance (mi.)
- Bridge
- Trail Map Sign
- Parking
- Toilets
- Picnic Area

Filename: LowesCreekAerial20151225  
 Printed Date: 12/25/2015  
 Fieldwork Date:  
 Map Created By: CORBA  
[www.chippewaoffroad.org](http://www.chippewaoffroad.org)

